

# **PALM UGANDA PROJECT**

## **Publishing and Alternative Licensing Models for Africa**

### **FINAL REPORT**

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## **Abbreviations and acronyms**

A2K /A2LM	Access to Knowledge/Access to Learning Materials
ACAP	Automated Content Access Protocol
CC	Creative Commons
ICTs	Information and Communication Technologies
IDRC	International Development Research Center, Ontario Canada
NABOTU	National Book Trust of Uganda
PALM	Publishing and Alternative Licensing Models

## Executive Summary/Abstract

The Publishing and Alternative Licensing Models for Africa (PALM Africa) was a research project that introduced publishers in Uganda to the advantages of publishing on the Internet by exploiting flexible licensing business models. The key research question was: can the adoption of more flexible licensing regimes contribute to improved publishing of learning materials in Africa? By ‘publishing’ was meant the services of commissioning, editing, design, marketing, validating, branding and distributing learning materials. By ‘improved’ we were in this project looking only at how more flexible licensing regimes might allow publishers to access a broader range of materials to which they might add local relevance, publish successfully and distribute in a manner that leads to more sustainable publishing and improved access for readers. Through the action research element of the project we expected that a variety of new business models appropriate for Africa would be devised and tested.

By using several methodologies that included literature review and publishing baseline study, stakeholder seminar, publishers’ workshop, discourse analysis, publishing exercise and review, and data and comparative analysis the research team engaged both commercial and non-commercial publishers to embrace the application of flexible licensing in some of their publishing projects. The emphasis was to create an environment where publishers could move away from all rights reserved to some rights reserved as this was believed to be a necessary precondition for enabling the digital distribution of online learning materials across Africa.

A publishing experiment was set up and attracted 3 publishers who provided a total 6 titles published full text for free downloading, reading, and distribution. The flexible licenses of choice used in the experimentation were the Creative Commons. One commercial publisher used a mixed model of free content available alongside commercial content. The alternative and development publisher on the other hand provided free content to drive the visibility of the organization and improve its prospects for grant income.

The experimentation has demonstrated that publishing on the internet and under a flexible license eliminated some fundamental barriers to access markets within and beyond Uganda. All three publishers who participated in the publishing experiment reported increased activity on their web sites and could track various downloads of the titles under the publishing experiment to various countries. It further heightened the need for Print-on-Demand services within Africa to aid further distribution of online content.

**Key words:** Publishing, Learning Materials, Access to knowledge, Open content, Creative Commons, Copyright, flexible licensing, Publishing in Uganda, Publishing business models

## **1.0 Project Background**

Africa has long faced numerous challenges in acquiring, producing and distributing learning materials in sufficient quantities, at appropriate levels and of suitable quality to meet the needs of its people. The history of why this is so is long and complicated and linked to the colonial legacy to which poor management of nation states can be added. In the 21<sup>st</sup> century this problem is becoming more acute highlighting that so much of development rests upon raising the skills and knowledge base of each and every individual. Finding sustainable means of providing more learning materials is becoming ever more urgent.

Africa occupies a marginalised position in global knowledge output. Statistics published by UNESCO (2000) show that 72 per cent of book exports worldwide come from North America, the United Kingdom and Western Europe. In Africa, the market is particularly badly skewed. According to research by the African Publishers' Network, Africa consumes about 12 per cent of all books produced in the world but contributes less than 3 per cent to books read in the world. Even starker is the balance of content on the Internet. The African continent generates only 0.4% of global online content, and if South Africa's contribution is excluded, the figure drops to a mere 0.02%.

Today countries in Africa are searching for solutions to these issues. One area that merits attention is how to modernise and expand local publishing capacity (of both the commercial and non-commercial kinds). Governments are increasingly becoming committed to promoting local languages and local knowledge while also adapting the best of the west to fit local requirements. The process of attempting a solution at expanding local publishing capacity in Uganda started with the adoption of the textbook policy in 1998 which liberalized the textbook market and opened up several opportunities for local publishers to participate. There have been several other measures along the way such as the decentralized instruction materials procurement policy in 2002, which opened a way for class room teachers to participate in making choices of learning materials and aided the establishment of local bookshops in all districts of Uganda. In 2007, government introduced the thematic curriculum under which mother tongue is the language of instruction for the first three years of basic primary education. This education quality improvement measure has provided a ground for renewed interest in local language publishing

with many new titles for primary schools coming on the market. The key challenge remains government making reasonable investments in procurements of educational textbooks for sustaining the changes happening in the publishing sector including expansion into other areas of publishing that traditionally have not been profitable.

The advent of digitisation and the internet provides unprecedented opportunities, and yet there are handicaps preventing the full exploitation of the technology to achieve the desired educational goals. Restrictive copyright practices are perceived by some to be one such roadblock. The approach of this project in relation to the impact of copyright was to explore whether more flexible licensing might contribute to more efficient and effective dissemination of knowledge. In the Internet publishing environment, flexible licensing models would put to effect the provision of permissions in advance for content to be used more broadly than usually permitted under default copyright; allow rights holders to control copyright and; enable the emergence of new business models.

Copyright law emerged 300 years ago to provide a balance between the rights of the creator and the rights of the public. Its original aim was to incentivise creators by ensuring appropriate recompense for creating the intellectual ‘property’, as it became known. In the case of Uganda, copyright is a relatively recent development which was first introduced by the British, during their colonial regime. Copyright in Uganda was initially designed to protect British authors and publishers within the Ugandan protectorate. Until August 2007, Uganda operated under the Copyright Act Cap. 215 of 1964 (‘the 1964 Copyright Act’), which was succeeded by the Copyright and Neighbouring Rights Act of 2006 (‘the 2006 Copyright Act’). The object of this new law was to replace and update the previous law. The repealed 1964 Copyright Act had never been revised in its history, despite the fact that it had existed in nearly the same form in Uganda since 1953, and even though the corresponding British law of 1911 from which it was derived had seen many revisions since its inception. Traditional copyright served well in an age where concentrations of capital were required to disseminate creative products. With digital distribution, this law often acts as a barrier to effective distribution.

The liberalising of licensing regimes has for several years now been seen by some as a means of opening up access to knowledge in the digital age. New flexible copyright licensing practices have served to produce a ‘some rights reserved’ environment where rights holders can

safely find a middle ground between ‘all rights reserved’ on the one hand and the relinquishing of all rights into the public domain on the other. This has proven especially popular for the young, producing digitally transmitted culture and knowledge. Indeed many different types of licenses have been created that try to cater for a number of needs, often conflicting, but usually in the spirit of opening up greater access. For an incomplete (but long) list see GNU-GPL’s review of over 100 flexible licenses at <http://www.gnu.org/licenses/license-list.html>. In many cases not only are creators choosing new licenses to facilitate access for their audiences, they are also finding new ways of reaping financial reward for their creative outputs.

The formal publishing industry is itself trying to come to terms with the digital age and is experimenting with a number of new business models. This new disruptive digital technology is necessitating new approaches to copyright. Yet, where we stand today is still at the incubation stage of these new models, ‘with caution competing with boldness’ as Frances Pinter described it in the Uganda Stakeholder’s workshop, as the industry tries to find ways of recovering its investments. In the meantime there is still the urgent need to see how these new models may facilitate access and distribution in developing countries.

Over the past few years the worlds of open access, A2K /A2LM have clashed with the traditional commercial publishers. These new movements have served a useful function in promoting new thinking on the issues. However, the questions surrounding sustainability still remain. And the solutions are likely to be different on either side of the digital divide. The open access ‘free’ solutions in the North often rely upon the bedrock of wealthy economies and strong infrastructure whereas the same cannot be assumed in developing countries. Some have even argued that the knowledge divide may deepen as the South receives generous handouts of content from the global north, further stifling the south’s ability to develop and disseminate local knowledge. Developing countries are seeking solutions that take advantage of the knowledge resources of the North while at the same time growing capacity for the development of locally-relevant learning materials by developing country publishers and institutions. Ideally, this process might also reveal ways of improving the knowledge flow in the other direction – from South to North – and, most importantly, from South to South.

Many studies were under way analysing the impact of open access initiatives, particularly on access to academic journals, around the world. There is a growing body of studies on Open

Education Resources, with lively debate on how these could best help bridge the global knowledge divide. In an African context, access to internet connectivity has been limited but changing following the arrival of several under sea cables to various towns and cities and several government and private sector led initiatives for e-governance and school connectivity. Also distribution of learning materials is still a serious challenge but will most likely change as publishers adapt their content for serving online school and tertiary education communities. What is missing is research on how open access approaches could work in conjunction with local publishing in Uganda to improve access to learning materials. Little research is being carried out on how materials appearing with open licenses might impact on, and improve the quality, availability and cost of other learning materials, especially in developing countries. Questions around how commercial and non-commercial publishing in developing countries might benefit from more flexible licensing practices need to be examined from a variety of perspectives that take into account the international publishing environment and the power relationships between foreign and domestic publishing.

This project, which included active involvement of publishers in Uganda sought to examine whether more liberal licensing practices, consistent with the increasing use of digital dissemination (coupled where needed by print) is likely to lead to improved publishing and greater access to locally-relevant learning materials. The project also recognized the need for sustainability models in under resourced contexts that might combine open and commercial models. We are at a turning point in access to knowledge. There are forces pulling in the direction of more open access while at the same time other forces are encouraging, through more restrictive copyright regimes, practices that may lead to narrowing access and retaining and even exacerbating the digital divide. The publishing community (formal and informal) therefore has huge potential to facilitate improved access to knowledge.

## **2.0. RESEARCH PROBLEM AND JUSTIFICATION**

The overarching research question that this project addressed was: can the adoption of more flexible licensing regimes contribute to improved publishing of learning materials in Africa? By ‘publishing’ we meant here the services of commissioning, editing, design, marketing, validating, branding and distributing learning materials. By ‘improved’ we were in this project looking only at how more flexible licensing regimes might allow publishers to access a broader range of materials to which they might add local relevance, publish successfully and



distribute in a manner that leads to more sustainable publishing and improved access for readers. Through the action research element of the project we expected that a variety of new business models appropriate for Africa would be devised and tested.

This research explored realistic sustainable models that take into account the complexities of local publishing and the realities of global publishing as it impacts on Africa. The solutions that might emerge from this kind of action research will hopefully discover truly viable models - ranging from alternative business models in market sectors in which the 'free online' open access model could be sustainable, to more complex models combining the commercial and the 'free' in various ways.

The rationale for this project was that it is important to try to see whether and how the new opportunities of the digital age with specific reference to licensing may contribute to better access to knowledge in developing countries and greater participation by these countries in the development of their own learning materials. This project, through a variety of methodologies aimed to address the complex questions that arise when looking at how the publishing ecosystem might be improved, how it might happen, who are the actors that can bring about desired changes and who might benefit.

Delivering suitable published content at the appropriate time and in an appropriate format depends on the viable operations of a number of elements in a surprisingly complex chain. This study should reveal where gaps and blockages weaken that chain and how these might be addressed. Through engagement with key stakeholders from the publishing, government and educational communities this study aimed to find out whether current licensing practices help or hinder distribution of content and whether or not adoption of flexible licensing practices under certain circumstances help stream-line some of the publishing processes, thereby potentially reducing costs. Of course cost is one of the key obstacles to publishing in Uganda especially with educational publishing which must conform to certain output standards including quality of paper, font sizes, binding etc. Other issues that exacerbate publishing cost in Uganda include rights clearances, poor distribution network and short print runs due to a poor culture of reading.

Several practical contextual issues need addressing. For example, what barriers exist that hinder easy and affordable licensing to secondary publishers? There are three directions of rights sales of interest here; North-to-South, South-to-North and South-to-South. In all three instances the transaction costs are high due to a number of reasons. They range from rights departments

being unable to devote the time required to process applications, to fears of piracy. Royalties/fees payable on inexpensive or small editions simply may not be worth the time and trouble to process applications. Translations are an issue and even obtaining reading copies to evaluate for local suitability can be a problem.

The possible solutions to the various structural and process issues that may emerge from this study might range from alternative business models in market sectors in which the ‘free online’ open access models might be sustainable with public funding, to more complex models combining the commercial and the ‘free’ in various new ways. The scholarly literature has identified a number of viable ‘some rights reserved’ models with references to a few examples primarily in the fields of music and software. However, there are no detailed studies that track the use of flexible licensing by developing country publishers in a systematic way. This was the first comparative study of its kind that engaged with stakeholders to build up appropriate business models from inside the industry and then proceeds to test the viability of those models.

In order to answer the main research question – can the adoption of more flexible licensing regimes contribute to improved publishing of learning materials in Africa – a number of subsidiary questions were to be addressed. These covered a range of legal, political, economic and social issues that impact on the stakeholders’ own assessments of flexible licensing potentials as well as that of the academic researcher.

- a) How receptive are the various stakeholders to new perspectives on access in the digital age? The extent to which they are prepared to consider alternative models is a key factor in the testing process.
- b) What sort of publishing environments are open to flexible licensing practices and who might benefit from them? Can publishing remain viable when IP is liberated from the physical product and exclusive licensing is limited?
- c) What kinds of statutory and regulatory environments best support more liberal licensing practices?
- d) What kinds of new business models might be worth further exploration? Are the new business models of the North likely to be the same for the South or are others likely to emerge that would be more appropriate?
- e) Is there any consensus amongst stakeholders as to whether digitally distributed content, with final print production at print on demand (POD) facilities, might become part of the solution

where only short runs are required? And if so, what steps are likely to be needed to expand facilities and what partnerships would need to be forged to ensure the potential for regional distribution?

This project brought together active research in the form of publishing demonstration projects combined with an academic assessment that reviewed whether or not liberalising of licenses may bring about improvements in the publishing process defined as increased access to materials while maintaining sustainability of publishing services. Hence the emphasis was on collaborative efforts to find practical solutions. The outreach activities aimed to create a space for discussion of the outputs and outcomes of the projects so as to encourage a deeper understanding of the role of licensing and broader engagement with decisions on the types of licenses that fit the specific needs.

### **3.0. Objectives**

#### ***3.1. Vision of PALM Uganda***

The vision of PALM Uganda was:

1. A world where flexible licensing systems are understood and employed to create greater participation and improved access to knowledge to the benefit of all human kind.
2. Need for commercial and non-commercial publishers to make valuable knowledge resources and learning materials available free online so that it is accessed by all people all over the world.
3. African knowledge resources are significantly available across the continent, in print and digitally.

#### ***3.2. Objectives of PALM Uganda***

PALM Uganda project focused on:

1. Creating and promoting business models that show case the advantages of flexible licensing within the context of sustainable publishing in Uganda.
2. Building capacity in Uganda to research and better understand the application of flexible licensing and the new challenges faced by publishers.

3. Building capacity of publishers to better understand and use alternative licensing and reflect on the adoption of new business models that take advantages of the new digital environment.
4. Exploring whether various stake holders in Uganda are receptive to new perspectives and alternatives of access to learning materials in the digital environment.
5. Exploring whether and under which conditions flexible licensing regimes are suited and can be applied in the context of developing countries.
6. Improving understanding of the statutory and regulatory environment that would support the application of licensing practices.

### ***3.3. Achievements of PALM Uganda***

The above objectives of PALM Uganda were achieved fully or partially. The major constraint for achieving most of the objectives was the limited project timeframe of 2 years which meant that project participants had to be rushed through the process. The complexity of the issues involved in brokering change in a fragile publishing environment were underestimated. Another major limitation in achieving the above objective being that the design of the PALM project was made under the assumption that the publishers in Uganda had prior experience with online publishing which was not the case. There was therefore a need for greater investment in capacity building in digital publishing skills than the project had catered for; a lesson learned for future interventions.

However, PALM Uganda successfully engaged both commercial and non-commercial publishers to embrace the application of flexible licensing in some of their publishing projects. As it were a majority of the publishers were apprehensive of publishing full text on the Internet because of the perception that they would lose control of their copyright as everybody interested would just appropriate their content. PALM Uganda succeeded in creating awareness and building a certain level of confidence to the extent that some publishers eventually risked some of their content for the publishing experiment.

There were sticking issues about copyright policy including total restrictive copyright controls on one hand and open access on the other. PALM Uganda advocated a middle ground that attempted to balance the interests of the rights holders and those of the users by emphasizing that publishers could keep some rights while giving away the rest to the users. As a result, one

commercial publisher and two non-conventional publishers who envisaged market opportunities in the new business models agreed to participate in the publishing experiment which was making use of flexible licenses. The three publishers offered a total of six titles published full text on their web sites under a flexible license as part of the publishing experiment.

It is clear from the publishing experiment that publishers have not given up the need to retain some control over their publications as noted from the software and license combinations chosen for the titles in the experiment. For purposes of this project, the publishers chose to use Creative Commons. The Creative Commons are a suite of licenses that provide the creator or rights holder flexibility for both commercial and non-commercial uses on a 'some rights reserved' principle. The publishers' choice of license was further encouraged by the fact that the licenses are generic and valid globally. They had four licenses to choose from and even the possibility to combine several licenses to attach on their digital books.

As observed from the publishing experiment, 2 publishers made their online pdf books available for free downloading, reading, and distribution. For the license, the 2 publishers preferred to attach a combination of 3 licenses i.e. Attribution (By)- whenever a work is copied, redistributed or remixed under a Creative Commons licence, credit must be given to the original author; Non- Commercial (NC)- lets others copy, distribute, display and perform the work – and derivative works based upon it for non-commercial purposes only and; No Derivative Works (ND) – lets others distribute, display and perform only verbatim copies of a work not works based upon it. The license combination is still the most restrictive in the Creative Commons. From the researcher's perspective, the combination of software and license represented a cautious step to embrace the new models while maintaining the most maximum control offered by both software and license over the published text.

The choice of software was not very surprising as the publishers had limited options as a result of lack of experience in handling e-publishing. Uganda publishers still operated largely in the traditional environment with most of their products paper based, using the internet for only promoting their catalogue. PALM Uganda helped to expand the possibilities of publishing on the internet. The project however was not set up or capacitated to delve into the areas of e-book systems, internet publishing projects, publishing platforms, online payment systems, online sales and marketing which would have helped the publishers to have a full grasp of the new business

models. As a result, a lot of publishers could not take part in the publishing experiment because of ICT concerns.

Secondly, it was not possible in the short period during the publishing experiment to fully demonstrate the versatility of the new flexible licensing business models over the traditional or even subscription based models or to get publishers issue their entire catalogue under a flexible license or a combination of flexible licenses. The emerging trend from the experimentation was that flexible licensing and the resultant business models supported the traditional business models with much needed market visibility and brand promotion for the publisher's entire offline catalogue. This may suggest that in these early days, publishers are most likely to adopt flexible licensing and the new business models because they give them market advantage over the rest of the other publishers. Given more experimentation, learning and perhaps with time as profits from flexible licenses and new business models overtake those from traditional models shall we experience a massive overhaul of the publishing sector. A capacity issue that emerges is the need to train publishers to be able to track download patterns and volumes to help in decision making and business planning.

PALM Uganda however demonstrated that publishing on the internet and under a flexible license eliminated some fundamental barriers to access markets within and beyond Uganda. All three publishers who participated in the publishing experiment reported increased activity on their web sites and could track various downloads of the titles under the publishing experiment to various countries. In some cases the authors or publishers of the titles were contacted to direct users to places where they could acquire print copies. This experience brought home the need for publishing companies to link up with Print-on-Demand (POD) companies to process the orders for physical copies in real time. The experience also disproved the perception that flexible licenses would kill the market for the specific titles.

PALM Uganda aroused debates on the legal ramifications around copyright and licensing issues. Specifically for the companies that participated in the publishing experiment, there were lots of questions and requests for clarifications about what the different licenses meant, practical aspects concerning legal drafting in author/publisher agreements and the implications of attaching licenses from overseas CC portals. The common conclusion arrived at was the need to

further the drafting skills and general understanding of alternative license agreements, need to customize the creative commons license i.e. Uganda CC portal to give full confidence to the publishers.

## **4.0. Research Methodology**

### ***4.1. Literature Review and Publishing Baseline Study***

The literature review provided a compilation of the historical overview of publishing in Uganda as a basis for identifying the stage where it is and gaps in relation to PALM Uganda. In compiling the literature review, the researcher's major challenge was access to sources of information as most of the literature is still offline. The baseline study on the other hand established the current status of Uganda's publishing industry, specifically gauged the publishers understanding and perceptions to issues of copyright and licensing. A questionnaire targeting conventional and non conventional publishers was administered. The major challenge experienced in the baseline survey was non-response from over 37 publishers who were surveyed. The questionnaire was long and some of the questions were technical above the understanding of some of the publishers.

### ***4.2. Discourse Analysis at both stakeholder seminars and publishing workshop***

During the stakeholder seminar and publishing workshop a rapporteur captured the discussions that ensued from the paper presentations, plenary out of group work and assignments to individual companies and public dialogue. The notes formed an important part of the strategic meetings of the project team planning for subsequent actions and activities. The notes pointed to key questions that still required clarifications or individual companies that required follow up or individuals with special expertise on an area of interest to the project that could be contacted later for assistance. The notes also pointed the project team to companies that were ready to proceed to the next stage or those that needed follow-up to get the decision of the Chief Executive Officers. One aspect of the discourse was the prevalent fear of piracy as a barrier to open dissemination of knowledge. A lot of the questions that the project team handled were around issues of securing publishers income streams from piracy.

### ***4.3. Stakeholder seminar (establishing boundary partners)***

The stakeholder seminar used plenary and a panel to deliver the programme. Plenary and panel speakers were invited according to expertise and experience on subject areas covered by the seminar. Stakeholders actively participated in the discussions by asking questions and also

providing answers to some of the issues. It was not possible at this seminar to establish boundary partners partly because the Project team had not been adequately trained to handle the process. At another seminar that took place in South Africa, the 2 teams from Uganda and South Africa agreed on the boundary partners, outcome challenge and the progress markers.

#### ***4.4. Publishing workshop (capacity building and process monitoring)***

Participants in the publishing workshop were those who had participated in the seminar and signed up indicating a willingness to learn more and perhaps participate in the publishing experiment. They were mainly conventional and non conventional publishers. The workshop facilitators used participatory methods to deliver their subjects. Facilitators were very well versed with the subject matter covering technical aspects of CC licenses, business modeling etc. The major weakness of the workshop was that it did not provide hands-on training to publishers to for example select a license and attach it on a book, plan a business model and decide how to make it work

#### ***4.5. Publishing Exercise and Review***

Participation in the publishing exercise was limited to conventional and non conventional publishers and was totally voluntary. Publishers who signed up to participate in the publishing exercise it was hoped would have capacity to handle the project with minimal funding support from the project. Also the planning and execution of the demonstration projects was done with minimal interventions from the PALM Uganda project team. PALM Uganda project team however offered on request individual publishers support in terms of advice, knowledge, referrals to other companies or experts and money. Again as noted elsewhere, participation in the publishing exercise attracted very few publishers. The choice to stay on the fence by most publishers was partly due to piracy concerns and lack of capacity and skills to engage with an Internet based publishing project.

#### ***4.6. Data and Comparative Analysis***

The outcome mapping was the evaluation methodology used by the project team in monitoring. The project team kept an Outcome Mapping (OM) Journal where data on behaviour changes would be captured. A set of progress markers for each of the boundary partners identified would be used to monitor the gradual change in behavior. Each boundary partner had an outcome challenge statement. The OM journals also captured additional information about the possible influences behind the changes in behaviour. PALM team identified both strategic and boundary partners.

The strategic partners were understood to be individuals or organizations that support PALM team in influencing the boundary partners. The following strategic partners were identified:

- IDRC



- The Shuttleworth Foundation
- UCT Graduate School of Business
- UCT Film and Media studies
- UCT Centre for Educational Technology
- SA Book Development Council
- Creative Research and Development
- National Book Trust Uganda
- Makerere University Business School
- East African School of Library and Information Science, Makerere University
- The Knowledge Pipeline

The following were identified as boundary partners:

- Conventional book publishers
- Alternative / development publishers
- Research institutions
- Education and training institutions

## **5.0. Project Activities**

### ***5.1. Stakeholder Seminar***

The first activity was the holding of a seminar to educate and sensitize the participants on the various issues relating to publishing in general, and introduce them to new ideas about alternative models. This seminar which took place at Hotel Equatoria was important because if the project were to succeed, it was initially important that participants are reminded about theory of their trade. It was also assumed that not all of them were at the same level of knowledge about publishing. Therefore, by taking them through the seminar, the purpose was to create a level ground for launching new ideas or a new area of publishing in Uganda. The seminar's theme was: *Publishing, Copyright and Licensing in the Internet Era*. It was facilitated by people with wide experience in their topics. Participants were drawn from institutions and organizations actively engaged in book publishing. The papers presented were:

- *Publishing and National Development*
- *ICTs in Uganda: Current and future trends*
- *Future of Readership*
- *An overview of the Copyright law in Uganda*
- *Copyright and licensing and Access to health information*
- *International developments in licensing and ICT*
- *Finding web based materials applying Creative Common Licenses*
- *Alternative licensing and new forms of digital publishing in South Africa*
- *Publishing and Alternative Licensing Models for Africa*

The seminar explored possibilities of introducing alternative licensing models into publishing in Uganda. After daylong presentations and discussions, participants became enthusiastic and fairly knowledgeable of the subject of publishing. It was at this point that they were asked to sign up for the new experiment. At the close of the seminar thirteen (13) out of the 50 participants representing publishing houses and organizations signed. Since this was the first seminar it was quite possible that participants needed more time and information while some others readily understood and agreed to sign for it. From observations, the seminar generated a lot of enthusiasm and drew a lot of excitement among participants.

## ***5.2. Publishers Workshop***

The workshop took place in May 2008 for the dissemination of the results from the industry survey and presentations of some papers, panel discussions and group work. The objective of this workshop was to bring a better understanding to publishers (commercial and non-commercial) on how they might employ the new methods of open licensing to achieve a variety of goals. These goals included:

- a) reaching larger audiences
- b) finding novel ways of achieving sustainability and profit

- c) contributing to making Ugandan writing more available globally
- e) employing openly licensed content in locally published materials.

Papers presented [<http://www.nabotu.or.ug/index.php?page=page54>] included:

- Copyright and CC
- ACAP, CC+ and other International Developments.
- Open Content Publishing and Africa– panel.
- Interviews with pioneers who have applied non-commercial licenses in a commercial world  
[\[http://video.google.com/videoplay?docid=7018138206968267827&ei=wt7XSIOrIKilqQO6zKHCAg&q=Publishing+Open+Content#\]](http://video.google.com/videoplay?docid=7018138206968267827&ei=wt7XSIOrIKilqQO6zKHCAg&q=Publishing+Open+Content#)
- HSRC – case study
- New Business Models and Free Content.

Group work aspect of the workshop resorted to identifying how CC might be used in Uganda and barriers to adoption. Groups were to report back to plenary. Assignments for the evening were given and publishers were to come up with one potential project which they would present in the plenary. There was a session on Open Access in Higher Education, the perspective of the librarian; Ugandan Publishing Models: How can they adapt to open content presented by the panel of Academics from Publishing and Business Courses at Makerere University and South Africa. Group work involved developing individual business models that were also presented in the Plenary for discussion. Baseline/Matrix study – report was also presented. The event informed the decisions of the publishers to continue engaging in the project or to stay on the fences and watch what the outcomes would be.

### ***5.3. Publishing Exercise***

The Publishing exercise was conducted through a series of activities. Initially the project team followed up all the 13 conventional and non conventional publishers who had signed up requesting them to send outlines of proposed projects and resources in terms of additional

knowledge or information required. Only 2 conventional publishers including Fountain Publishers Ltd, Mastermind Publishers Ltd and 2 non-conventional publishers including FEMRITE-the Uganda Women Writers Association and MISR-Makerere Institute of Social Research submitted outlines of what they planned to do.

### **5.3.1 Case 1: Fountain Publishers Ltd**

Fountain Publishers Ltd is the largest indigenous publisher in Uganda. The company Director who also doubled as Chairman of NABOTU had been briefed about the project earlier at the London Book Fair by the PALM Project Leader. He was not in favour of giving away content for free. However with time after further engagements with the team, he led his company to draw up plans to participate in the publishing exercise. They initially planned to upload one academic book for the publishing exercise. They planned to use pdf software and a combination of the Creative Commons License Attribution (By), Non-Commercial (NC) and No Derivative (ND) for the book. They looked at the possibility of earning income from direct sales of the physical copies as a result of growing demand, increased sales of other titles in their catalogue discovered as a result of visiting their web site and rights deals negotiated for those who may have wanted to make use of the alternatively licensed book for commercial or make a derivative work. Fountain Publishers were the first commercial publisher in Uganda to publish a book on the Internet under a Creative Commons license.

Fountain Publishers subsequently had three titles including: Genocide by denial, Handbook on decentralization in Uganda and Funding and implementing universal access published as part of the experiment. The titles especially Genocide by denial received many reviews on blog sites and on twitter.

### **5.3.2 Case 2: Mastermind Publishers**

Mastermind Publishers Ltd is a small business press specializing in entrepreneurship growth and development. In addition to the publishing business, the company was expanding in business skills training for small and medium size enterprises. Mastermind Publishers Ltd proposed to convert one of their small business entrepreneurship titles to a flexible license and publish it online. Mastermind expected to earn income from sales of physical copies of the book

and; increased subscription to their entrepreneurship training programme as well as any rights deals. Mastermind is yet to publish their book online under a flexible license. Part of their challenge was poor ICT skills and infrastructure. The lesson that was learned was that there has to be a basic infrastructure of ICT capacity and skills before an online open access venture can be considered.

### **5.3.3. Case 3: FEMRITE**

FEMRITE was established to promote women writers through training and publishing of their creative fiction works. FEMRITE had plans to publish an anthology, a novel and a journal under the flexible license. They wanted the flexible licensing models to bring publicity to their authors as well as the organization. This was one way anticipated to bring in grant revenue to the women writers. In addition, FEMRITE expected increased sales for the physical copies of the books and any rights deals. FEMRITE participation in the project was very important as it made it possible for women voices in literature to be distributed in a completely new way.

FEMRITE put up 2 titles – a novel and an anthology - “Farming ashes” and “Invisible weevil” for the publishing experiment.

### **5.3.4 Distribution Offline**

It was expected that uploading the selected titles full text for free downloading, sharing and reading would probably result in high demand for physical copies of the books from different countries across the globe. Although all the three publishers looked at the possibility of engaging Print-on-Demand services as a means of meeting the orders from across the globe, only Fountain Publishers and FEMRITE had an agreement with the African Books Collective (ABC) which is known to have contractual arrangements with Lightning Source in the UK and USA. Again the Africa market is generally under-served in terms of POD and so probably distribution across the continent would continue to be a challenge.

## ***5.4. Industry survey***

The second step was carrying out the publishing industry survey. Data from questionnaires (see Appendix) were analyzed and the results were shared in the third workshop held at Imperial

Royale Hotel, Kampala. Responses were received from twelve publishers and organizations. Results showed that much of the publishing done in Uganda is mostly books and newspaper publishing. Publishers are engaged in mainly print publishing. They publish in both English and local languages. Companies are mostly private enterprises and indigenous. Foreign companies are represented by agents.

On respondents' knowledge of Uganda Copyright and Neighboring Rights Law [2006] in Uganda, those who answered this question overwhelmingly said they were conversant with it. This is contrary to what was said by the General Secretary of the Uganda Publishers Association (UPA). Asked to find out whether publishers ask for exclusive rights from their authors and the answer was overwhelmingly "yes" with one saying "no" and another saying "Not applicable". They were asked whether copyright was a protector and again seven out of ten said so, one denying it and one remaining uncertain. It was asked if copyright was a barrier to usage and wider distribution of their products. Interestingly the position reversed. Seven out of ten said "No" while three agreed. The reasons from those who said no, were that copyright protects authors, Uganda publishing industry was weak so it needed some form of protection.

Also asked was whether publishers had a policy on neighboring or subsidiary rights. One publisher said yes, they have and gave reasons for it saying they credit the sources of materials they get elsewhere, while four said No, preferring that they needed more information on the topic of rights. One said they just respect other people's rights while another said, any person breaking the law faces charges in a court of law whereas another said they use rights appropriately as a means of providing wider coverage of their products.

On photocopying they were asked whether massive photocopying of texts in tertiary institutions were not a problem of poverty, ignorance of the law, rebellion against high costs of books in the market or inadequate distribution of book products. On poverty six out of eight that answered said yes while two said no. We can say that poverty, to some extent, is a contributory factor to massive photocopying. On whether ignorance of the copyright law was the issue causing that, nine out of ten said yes with only one objection. University students are not aware of such law. It was also asked if photocopying was not a rebellion against the costs of books. To this, five agreed and three disagreed. The reason could be that it is difficult to rebel against a situation that even your government cannot control. Publishing is operating in a liberal market

and market prices rule the day. All they are interested in is that there are alternative ways of getting the text cheaper i.e. through photocopying that is providing a quick solution. Finally on the inadequate distribution of products in the market, six out of seven who answered that question agreed that inadequate distribution of books in the market was also the cause. It must be conceded here that our distribution infrastructure is inadequate.

Several issues were raised about licensing. These ranged from participants knowledge of licensing, application of licensing to their publishing projects, which models they were using, benefits accruing from those models, and awareness of flexible copyright licensing practices, which can serve the interest of publishers and book buyers and which ones they were applying.

On awareness results show that, eight of nine of those who answered the question were not aware about licensing. This is important to this project. Although the sample was small it is an indicator that more needs to be done to get participants to understand well what licensing is about. Because they were not conversant with it, six stated that they hadn't applied it with one saying the question was not applicable. To us the project administrators, this meant the same thing as being unaware. None said, yes. Consequently which model and application of the model were inconsequential at this stage. As to whether they were aware of new flexible licensing practices, all the eight who answered said, No and consequently did not have any model they knew.

Other important questions on licensing were whether publishing companies or organizations had any experience providing open access to their products, applied copyright with some right reserved, issued publications with all rights reserved, offered free online open access, offered limited open access, offered open access to their archives and offered free rights for translation. This was a closed question with a checklist. The emerging picture was as follows: providing open access to their products received balanced answers. Four said yes and four said no. Two did not say anything. Perhaps this question was ambiguous. What did it mean? It needed further discussion. The second was the application of copyright with some rights reserved. On this question, the scale was again almost balanced with three saying yes and four saying no and three not saying anything. It could be interpreted that we should have asked a further question on which rights these were but we did not.

On issuing publications with all rights reserved, five said yes and four stated no with one not answering. Offering products free online open access received three saying yes and six saying no with one remaining silent. Offering limited open access was unanimously rejected with all eight who answered saying No. Offering open access to their archives also received eight Nos with only one yes. This indirectly meant that they do not do it. On offering free rights to translations, again eight said No with one saying yes and one without position. On the whole the outcome is that licensing and its newer models are new to publishing in Uganda. This project becomes a good ground on which to work to cause change.

Finally publishers/organizations were asked if they would be willing to do the following: allowing open access to their products, have some rights reserved, have all rights reserved, allow free online open access, allow limited open access, allow open archives and permit translations. Outcomes from the ten that answered were as follows: allowing open access to their products had four saying yes and four saying no with two not answering. Our interpretation is that those who said yes were likely to be final managers in their units, while those rejecting were not sure about the effect of such a move to their organizations and therefore would need more consultations.

Having a policy on some rights reserved, received a higher score of six against two who said disagreed and with two abstaining or standing on the fence. This is a small indicator that publishers or NGOs need to stay with some rights or they fear they will lose out completely. This is understandable in our view. On having all rights reserved it was a good picture that five of them opposed it and three agreed. It shows that publishers have interest in retaining some of their rights.

Allowing free online open access was doubted. Three agreed and three disagreed and a larger number, four remained unanswered. Our interpretation of this is that publishers/organizations require more thinking on the benefits and dangers of complete freedom. Allowing limited open access was interesting in that half said yes and three said no and again two remaining indecisive. We are beginning to see some direction from here. Publishers seem comfortable with limited freedom or carrot given out and they remain holding the stick.



On allowing open archives the opposite come out again. Half (five) could not agree. This meant limited access as their choice. Only two were agreeing to it and three did not indicate. Finally on permitting translations it happened that half (five) did not accept it; again preferring to hold it themselves while three were for it. Detailed analysis brought no change since no more questionnaires were returned.

Overall this small analysis steered the project team to work towards making publishers more aware of what the project was all about. It was concluded that the ground had been laid. Four boundary partners reconfirmed their desire to start publishing on line. The Project team advised them to look into the different licensing models on the Internet and select from them the most feasible.

### ***5.5. Literature review***

A survey of the publishing literature on Uganda and Africa at large was reviewed by the lead academic. The purpose of the review as stated earlier was to understand the publishing landscape upon which the PALM project was being introduced. The literature review established major gaps of research coverage especially in the areas of copyright licensing and protection. It is clear that copyright licensing as a research area had attracted the least attention from African scholars and academics. The lead academic is however mindful of the fact that a lot of African research on any subject is not represented online. The lead academic believes that the largely under developed publishing industry in most of Africa probably has a hand in the limited attention that copyright licensing was receiving in scholarly circles. Also that Africa has a recent history of revised copyright laws which are yet to take effect in terms of enforcement, too recent to attract academic attention.

According to the literature review, the publishing activity in Uganda is based upon strong policy pillars. Some of the key policies that have been instrumental in creating a suitable publishing environment include: the Universal Primary Education programme adopted in 1998; the thematic curriculum which in 2007 introduced the use of mother tongue for instruction in the first three years of primary school education.

In 1998, government adopted the textbook policy which provided a foundation upon which local publishing companies were established. The textbook policy removed government from the

publishing of school books and liberalized it to the private sector. The policy introduced competitive measures such as open bidding which allowed local and international publishing companies to participate in providing school books. Hundreds of locally authored titles including children's storybooks, adult fiction and local language books capturing the local culture and aspirations have since been published. In 2002, government introduced the Decentralized Instructions Materials Procurement Programme (DIMP) which was rolled out to all the districts in Uganda. DIMP provided class room teachers with a chance to make choices of textbooks and storybooks to use in the class room. School orders were handled by designated local book shops who followed an agreed code of conduct with publishers. There were 500 book shops across Uganda by 2008 compared to a mere 45 in 2002. The biggest challenge for the publishing industry remains low penetrations into non-education markets such as trade books and reference books, and non-fiction books. The markets for these kinds of publications are still largely underdeveloped and unexploited.

### ***5.6. Meetings with stakeholders***

At different occasions, and at the in-country coordinator's office, and by telephone at some times, the project team kept receiving questions about the progress of the project. Some were interested to know how the project would help them immediately while others required more clarifications on life of the project and what happens after the two year period. The project team used any available means of communication to answer, explain all questions they were asked. These questions often made up issues to share with the boundary partners.

### ***5.7. Planning and sharing of experiences meetings by the project team***

By use of e-mails and by sitting together in NABOTU offices, the project team used this as an opportunity for reviewing the activities already implemented, planning the forthcoming activities, and meeting boundary partners to answer their queries

### ***5.8. Meetings with project counterparts in South Africa and London***

The Project team made two trips to Cape Town, South Africa to meet, share project experiences and plan with counterparts there. These meetings included presentation seminar on South African experience. We mostly narrated the Ugandan experience and reported how far our part of the project had reached, challenges and opportunities we were witnessing. The meetings

were enriching. Again at one of the meetings, the 2 teams discussed the Outcome Mapping methodology, agreed boundary partners, outcome challenge and identified the progress markers.

One project member, Mr. Charles Batambuze traveled to London and was able to meet and discuss with Ms Pinter about project activities and developments.

### ***5.9. Writing and submitting periodic reports about progress and accountability***

It is a requirement that projects such as this one write periodic reports of progress and accountability of monies advanced and used in each quarter. The project team did this and was able to receive evaluation reports of good work done. The benchmark of these was that after each successful report and accountability, money for the next quarter was received. In all the activities, participatory approach was followed. This was significant because it created a good and harmonious understanding of project aims, value and direction.

## **6.0. Project Outputs**

1. 50 publishers and authors were introduced and sensitized about Alternative Licensing models of publishing
2. The Literature Review about Publishing in Uganda was published online under a flexible license on [www.nabotu.or.ug](http://www.nabotu.or.ug) and also on the IDRC open digital library (<http://idl-bnc.idrc.ca>)

The book is available online in 2 forms i.e. as a pdf and as a wiki. On the web site [www.nabotu.or.ug](http://www.nabotu.or.ug) the Review has attracted many views and downloads as follows.

### **August 2009**

The wiki was viewed 111 times

### **September 2009**

Wiki viewed 47 times

**pdf** book downloaded 13 times

book review viewed 70 times

### **October 2009**

pdf book downloaded 21 times

book review viewed 51 times

### **November 2009**

pdf book downloaded 14 times

wiki viewed 20 times

book review viewed 25 times

It was observed that the countries that checked on the book among the top five countries from which traffic was generated include: Uganda, US, UK, Russian Federation, Canada. In Africa there was traffic from Lesotho, Tanzania, South Africa, Nigeria, Benin, and Kenya.

## **3. Products under Creative Commons License**

### *(a) Conventional Publishers*

One local publisher, Fountain Publishers Ltd was the first publisher in Uganda to issue a book under the creative commons license. The book, “**Genocide by denial: how profiteering from HIV/AIDS killed millions**” was reviewed in 2 blog posts at <http://creativecommons.org/weblog/entry/14858> and <http://blogs.uct.ac.za/blog/palm-africa> Fountain Publishers followed the initial book by uploading an additional two titles under CC licence. The links to the three titles are as follows:

- Genocide by Denial  
[http://www.fountainpublishers.co.ug/index.php/cPath/21\\_83?osCsid=rfb61ivtc3sjlo46tqpr7tjh82](http://www.fountainpublishers.co.ug/index.php/cPath/21_83?osCsid=rfb61ivtc3sjlo46tqpr7tjh82)
- Decentralization in Uganda  
[http://www.fountainpublishers.co.ug/index.php/cPath/21\\_36?osCsid=rfb61ivtc3sjlo46tqpr7tjh82](http://www.fountainpublishers.co.ug/index.php/cPath/21_36?osCsid=rfb61ivtc3sjlo46tqpr7tjh82)
- Universal funding  
[http://www.fountainpublishers.co.ug/index.php/cPath/21\\_38?osCsid=rfb61ivtc3sjlo46tqpr7tjh82](http://www.fountainpublishers.co.ug/index.php/cPath/21_38?osCsid=rfb61ivtc3sjlo46tqpr7tjh82)

. One key challenge is technical gaps in implementing online book platforms. As of now, all the books are only pdfs. Also the license versions used from the US CC portal. It might be necessary to domesticate the CC licenses by making them Uganda specific to help enforcement and prosecution. In marketing terms, it will be necessary to provide a web portal that promotes African books including free books to aid book distribution across the continent.

The physical books are available locally in Uganda and East Africa at designated bookshops and book distributors and elsewhere in the world with the African Books Collective who run Print-on-demand (POD) for orders. The online versions are available for downloading and sharing free of charge.

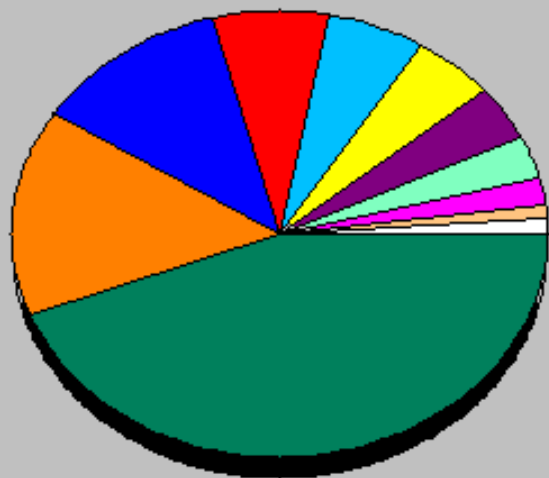
What Fountain Publishers is currently pursuing is a multi model of traditionally licensed books on their catalogues up for sale whose visibility is being driven by the free offering of creative commons work. It was not possible to assess the fortunes of the open licensed books in terms of their downloads, reviews and citations where possible and sales of physical copies to assess the full impact of open publishing due to limited time.

*(b) Alternative/Development Publishers*

FEMRITE- the Uganda Women Writers Association went Online under Creative Commons Licence with two titles including a novel and an anthology Available here: [www.femriteug.org/epublishing.php](http://www.femriteug.org/epublishing.php)

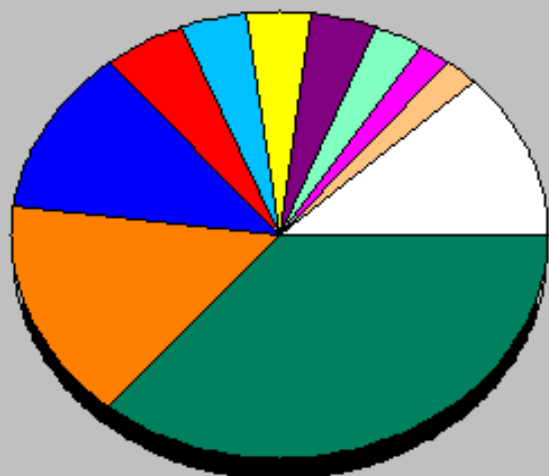
The outcome of this is reported that the books had been visited 249 times as at 4<sup>th</sup> November 2009. Although the breakdown for trial products is not available, we believe that part of views and downloads are from them. Pie charts are for the general website but it might contribute to your knowledge of who visits FEMRITE site. Also the countries that are reflected in the pie charts reflect the potential market that is most likely to use a freely licensed book or even make orders of print copies.

Usage by Location for June 2009



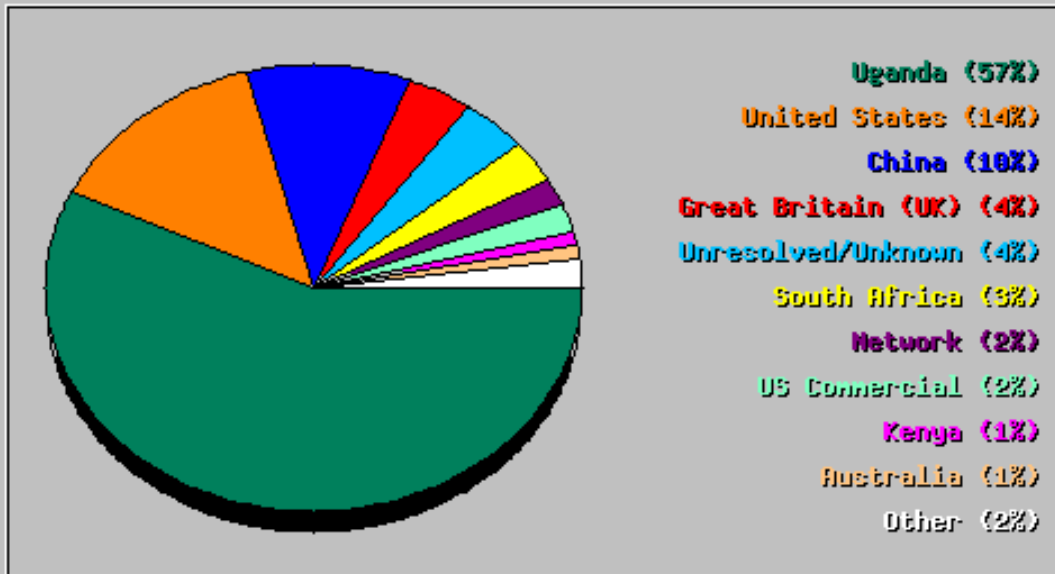
Uganda (44%)  
 United States (15%)  
 Great Britain (UK) (12%)  
 Germany (7%)  
 Network (6%)  
 China (5%)  
 US Commercial (4%)  
 Unresolved/Unknown (3%)  
 Netherlands (2%)  
 Ecuador (1%)  
 Other (1%)

Usage by Location for July 2009

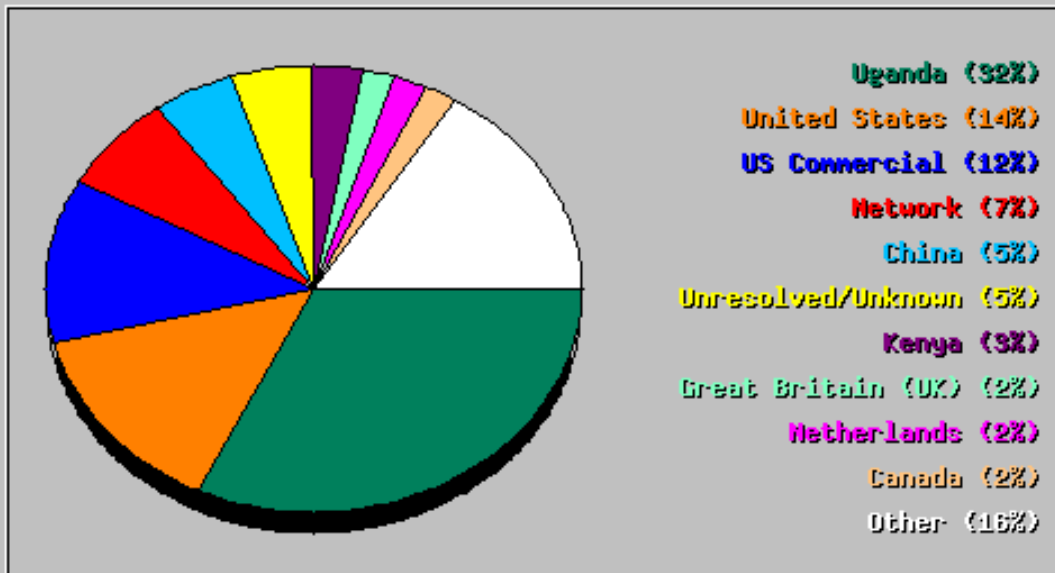


Uganda (36%)  
 US Commercial (16%)  
 Network (12%)  
 Germany (5%)  
 China (4%)  
 United Kingdom (4%)  
 United States (4%)  
 South Africa (3%)  
 Botswana (2%)  
 Unresolved/Unknown (2%)  
 Other (12%)

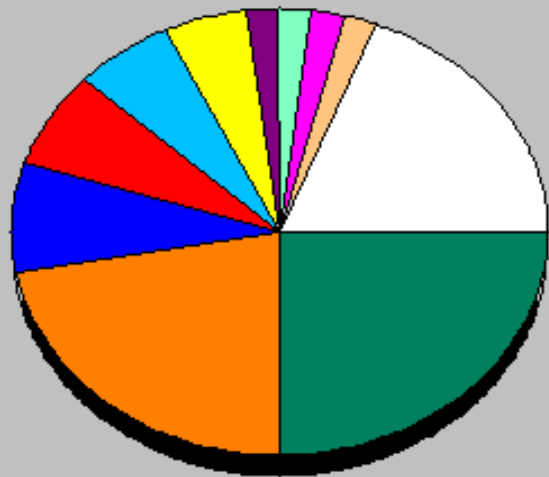
Usage by Location for August 2009



Usage by Location for September 2009

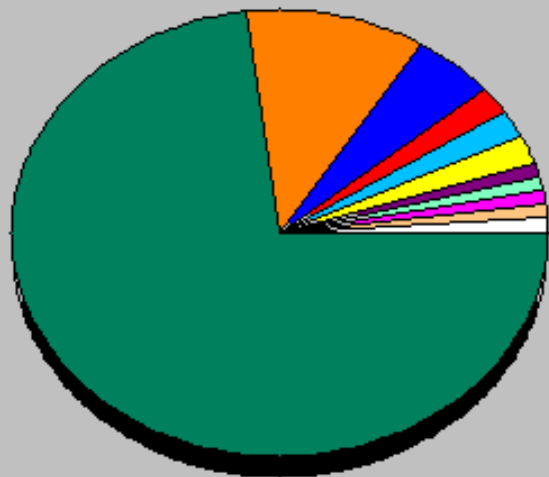


Usage by Location for October 2009



Uganda (25%)  
 United States (22%)  
 Unresolved/Unknown (8%)  
 US Commercial (7%)  
 China (6%)  
 Network (5%)  
 Great Britain (UK) (2%)  
 Kenya (2%)  
 South Africa (2%)  
 Australia (2%)  
 Other (19%)

Usage by Location for November 2009



Uganda (79%)  
 United States (11%)  
 Great Britain (UK) (5%)  
 Denmark (2%)  
 South Africa (2%)  
 Indonesia (2%)  
 Kenya (1%)  
 Egypt (1%)  
 China (1%)  
 Unresolved/Unknown (1%)  
 Other (1%)



#### **4. Adoption of Flexible Licensing models in curriculum**

##### *Education and Training Institutions*

One interesting development which is part of this project was the integration into university courses of the use of flexible licensing module into publishing course at the East African School of Library and Information Science. Students are interested in this novel idea because all along they had been thinking along the traditional route of the end product being a printed book, newspaper or magazines.

Micro research was reportedly going on at the School of Library and Information Science on “Knowledge of Copyright by NGOs” as a means of testing their understanding of the subject. Another micro study was on the “Effects of Online Publishing on the management of Publishing Houses in Uganda”. Both these were at Bachelor’s level and were intended to give an idea of what is happening in the field. And at master’s level, one student was studying marketing online and its effects on indigenous publishing in Uganda. These projects were completed but supervised by Prof Ikoja the PALM Uganda Lead Researcher.

#### **5. Paper presented at the International Conference of Booksellers in Dar Es Salaam**

Prof. Ikoja, the researcher sent a paper to Dar Es Salaam entitled *Educational Publishing and Book Distribution in Uganda* to the Pan African Booksellers Conference in 2009. The paper was read and accepted as a new contribution as it provided ideas about PALM project (Appendix.3).

### **7.0. Project Outcomes**

The project outcome analysis is based on data captured in the Outcome Mapping Journal which focused on four boundary partners namely: conventional publishers, development and alternative publishers, research organizations and education and training institutions. Each boundary partner had an outcome challenge statement, a set of progress markers which are assumed to represent gradual changes in behavior. The project outcomes analysis follows:

## **7.1. Conventional Publishers**

These were understood to be companies whose primary objective was to maximize profit from the publishing exercise. The outcome challenge was: Conventional publishers make a portion of their quality learning materials and knowledge resources available across multiple channels under flexible licenses, while working to influence government, industry and other boundary partners to adopt policies that enable wider applications of flexible licenses.

Initially at the stakeholder seminar and the publishers workshop, 20 targeted conventional publishers participated making 100% success, and 10 (50%) of the conventional publishers signed up for the proposed publishing exercise. In subsequent engagements with the project team, 10% requested for further information and customized briefings; 10% planned the demonstration projects, 10% selected and prepared digital content. 5% proceeded to the next stages i.e. making content publicly available on their web sites and making additional content available free.

It must be noted that from the above analysis although the outcome challenge is yet to be realized fully in terms of more publishers participating, one conventional publisher- Fountain Publishers Ltd has already taken the plunge into experimenting with flexible licensing and related business models. As noted elsewhere, in these early days of experimentation, Fountain Publishers is using the flexible licensing models to bring visibility and promote the products of the traditional publishing model. This is important to understand because of the need to finance the experimentation as well as allow time for the new models to get fully established as the principle source of profit for the company.

The PALM project succeeded in bringing Uganda's publishing industry into the experimentation mode which is necessary for learning and refining ideas on the appropriate new business models. A key lesson however was that poor ICT skills and the predominance of small companies that could not afford to outsource ICT personnel and equipment hampered more companies from participating in the publishing experiment. Also the lack of success or example with the new business models is always bound to affect the rate at which companies join the bandwagon.

## ***7.2. Development and alternative publishers***

Development-focused and alternative publishers were non-government organizations whose main business is not publishing but contribute to the publishing industry through their reports, books etc. The general trend noted was that there was an overall growth in publishing activities by development and alternative publishers. They too had concerns about copyright and licensing in the digital environment. The outcome challenge for this group was as follows:

Development / alternative publishers are making a portion of their quality learning materials and knowledge resources available across multiple channels under flexible licences. They work to influence their clients and members to adopt flexible licensing to promote market and disseminate their works.

At the stakeholder seminar and the publishers' workshop, six alternative and development publishers participated representing 100% success. Of the six only 1(16.7%) alternative and development publisher signed up for the publishing exercise. Five alternative and development publishers did not sign up to take part in the experiment partly because publishing is not the principle source of income for the organization and for some, they needed more time and training to clearly understand the benefits of flexible licensing. Some of them however still felt that flexible licensing would wipe away the money that they collect from sales of print copies. The publisher who signed up went all the way to request for further information and customized briefings, plan demonstration project, apply for support from PALM for demonstration project, select and prepare digital content, market online content and make content publicly available.

The development and alternative publisher –FEMRITE was still experimenting with 2 titles under a flexible license. Some of the joys of publishing under a flexible license was increased market visibility for the fiction titles. FEMRITE reported that the African Books Collective (ABC) based in Oxford, United Kingdom had written to them about the new fiction title, “farming ashes” which is available on the FEMRITE web site under a CC licence. ABC uses print-on- demand to service the needs of its customers.

Market visibility was driven by the ease with which readers could access the book content. Readers received email alerts about the availability of free fiction titles on the FEMRITE web site. Again the key challenge for FEMRITE was poor technical expertise and the lack of a comprehensive plan for marketing online books. The project timeframe did not permit evaluation of the performance of the titles in the market both locally and internationally.

On the question of market performance of flexible licensed materials, the experience from the literature review which was published under a flexible license could perhaps demonstrate that

demand grows as more and more people download and review the book. NABOTU reported that on November 18<sup>th</sup>, 2009, Ms Dorothy Amuso the Country Representative for the US Library of Congress Office- Nairobi Kenya visited with a list of titles that NABOTU published online ([www.nabotu.or.ug](http://www.nabotu.or.ug)). One of the titles that she wanted to procure for the Library of Congress and its associated libraries was the pdf e-book, *Publishing in Uganda with notes from Africa: a review*. This book is available on the NABOTU web site under a CC licence. The visit from the Library of Congress represents a potential market that exists for hard copies of the title. Prof. Robert Ikoja Odongo the author has expressed interest in exploring print-on-demand opportunities especially with the African Books Collective for hard copy distribution to Europe and the USA. Locally the book would have to be printed to sell copies to students and other interested parties.

Another report from a researcher showed that the book had been downloaded and made available to libraries in Germany and Australia. A researcher from Germany and Australia informed the author that this review had been downloaded for libraries in those countries as well as using its content for a book being written. Lecturers and students of publishing studies at the East African School of Library and Information Science, Makerere University were also inquiring for copies. Comments are remarkably encouraging. This experience is important because there was a fear among participants that once something is put on the web, it is likely to be difficult to sell hard copies. But the fact is, the review has exposed the author, brought a lot of information to the public and caused many inquiries because those who have seen it want to read hard copies instead of reading from the computer all the time.

### ***7.3. Research organisations***

The outcome challenge for research organizations was stated as follows:

Research institutions are making a portion of their quality learning materials and knowledge resources available across multiple channels under flexible licences. They work to influence their researchers, their peers and their institutions to adopt flexible licensing to promote, market and disseminate their works.

Two research organizations representing 100% success participated in the stakeholder seminar and publishers workshop. One research organization –MISR- Makerere Institute of Social Research (50%) requested further information and customized briefings. PALM Uganda project

team visited MISR but could not secure an appointment with the Director. Participating in the seminar and workshop however was a good way to introduce the research organizations to a different way of communicating research. Perhaps not a direct result of PALM but related to the thinking of how research should be communicated, Makerere University recently had its webometric ranking improve as a result of more research getting published and accessed online. The lesson learnt was that research organizations need intensive engagement and resources because they normally have very tight schedules and are bureaucratic.

#### ***7.4. Education and Training Institutions***

That education and training institutions should offer courses in the use of flexible licensing and undertake research on new publishing models was the outcome challenge. The East African School of Library and Information Science, Makerere University reported having started offering course modules on flexible licensing and new business models as well as ongoing micro research on different aspects of e-publishing.

### **8.0. Overall Assessment and Recommendations**

In our view we have achieved what we intended to achieve that is: **Can alternative licensing models in publishing increase access to educational resources in developing countries like Uganda?** And the answer is Yes. This is because this project has exposed alternative models and these models have been experimented by NABOTU, Femrite and Fountain Publishers. Practitioners have seen the results and it is our well founded opinion at this point that increasing access to learning materials would have a ripple effect on improving the quality of education in Uganda with the increase in penetration of ICTs in schools and other public access points such as Cyber cafes. The research inquiry has also delved into transforming business practices of authors and publishers as regards licensing to facilitate access as well as guarantee profit. It is however recommended that further follow-up actions are needed to continue to refine the flexible licensing business models and clarify publishers concerns about the new business environment. This is also key for furthering the understanding of how the business models are to evolve.

Another important area for future inquiry is generating a body of knowledge to support business start-ups that apply flexible licensing from the beginning to succeed. The current practice is a mixed model where publishing businesses are predominantly applying traditional license models

and only a few are venturing out to experiment with one or two publications under a flexible license model. It is generally thought that the proceeds from the traditional license models fund the experimentation. It will be necessary to nurture the flexible license model for it to become a major business practice amongst a majority of the commercial publishers. To make flexible licensing the dominant business model it will be necessary to encourage buy-in by more publishers. It is also necessary to train publishers, authors and their attorneys to improve legal drafting of author agreements that provide several licensing options. Of course authors require empowerment in terms of their understanding of copyright generally and CC licences specifically in order for them to make the best choices at all times.

As noted elsewhere, one key challenge is technical skills in implementing online publishing. It is clear by viewing some of the web sites that the participants still have major technical issues to sort out including displays, transaction information, tracking information etc. The project left out a number of elements in e-publishing and only concerned itself with the licensing aspect. The realities in Uganda's publishing industry demand that all aspects of e-publishing should have been considered.

The license versions used in the publishing exercise are US CC licenses. Publishers had some reservations about the US licenses considering that Uganda has a different law tradition. There was also a fear of transaction costs that could arise from pursuing court cases using the licenses. To build confidence and local ownership of flexible licenses, it is recommended that CC licenses be domesticated by making them Uganda specific to help enforcement and prosecution.

Still of importance to the project was the need to stimulate intra-Africa book trade by using flexible licensing models. Some downloads of the books under the experiment could be tracked to specific African countries and probably point to a clear direction that flexible licensing models hold the greatest potential for intra-Africa book trade. For this to happen, a few things must be done for example, establishing online book retailing; setting up web portals that promote African books; establishing commercial print-on-demand units in several African cities and porting CC licenses in many African countries etc.

This project was an important step in reforming Uganda's publishing industry especially in the area of licensing systems and online publishing. It thus contributed ideas to developing a vibrant

industry that should make use of new models to publish books cheaply. The ideas tested in this project have potential for providing unlimited access to knowledge for the benefit of Ugandans.

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## Appendices

### Appendix 1: Outcome Mapping Journal

#### BOUNDARY PARTNER: CONVENTIONAL PUBLISHERS

##### OUTCOME CHALLENGE:

Conventional commercial publishers are making a portion of their quality learning materials and knowledge resources available across multiple channels under flexible licences, while working to influence government industry and other boundary partners to adopt policies that enable wider application of flexible licences.

##### EXAMPLES:

- Open Access journals & research publications
- Publishing of valuable content using flexible licensing mechanisms
- "Long tail" publishing using alternative licensing to promote access in markets not currently considered viable, (eg translation and specialist educational material)
- Use of Flexible Licensing, Print on Demand and digital delivery for local adaptation and production of international material
- Use of Open Educational Resources for low cost print & packaged-digital Learning Materials
- Experimentation with out-of-date international books

#### PUBLISHING WORKSHOP DATA

50% of participants proposed Demonstration Projects

Participant	Demo project (Yes/No)
1. Inform Group	YES
2. Rock Media Agencies	YES
3. Tembo Publishers	YES
4. Baroque Publishers	YES
5. Mastermind Publishers	YES
6. Wavah Books	YES

7. Centenary Publishing	YES
8. Longhorn Publishers	YES
9. Fountain Publishers	YES
10. Arrow and Bow Publishers	YES
11. LDC Publishers	NO
12. UNEB	NO
13. Macmillan	NO
14. Oxford University Press	NO
15. Pearson Longman	NO
16. Monitor Publications	NO
17. The New Vision	NO
18. Guardian News	NO
19. Classic Artworks	NO
20. Net Media Publishers	NO

## PROGRESS MARKERS

Progress Marker	Achieved (%)
<i>Expect to See</i>	
1. Attend Publishing Workshop	20 (100%)
2. Request further information & customized briefings	2/20 (10%)
3. Plan demonstration project	2/20 (10%)

4. Apply for support from PALM for demonstration project	2/20 (10%)
<i>Like to see</i>	2/20 (10%)
5. Select and prepare digital content	2/20 (10%)
6. Market Online content	2/20(5%)
7. Make content publicly available	2/20(5%)
8. Evaluate demonstration project	0
<i>Love to see</i>	
9. Publishers share experience and expertise	0
10. Make additional content available free	1/20(5%)
11. Establish online publishing business model using flexible licensing	0

30<sup>th</sup> November 2009, a story entitled, *Commercial publishers experiment with Open access drives a lot of traffic to the NABOTU web site. The story points readers to the urls of the free titles that have so far been published under a CC license. The story is reproduced on twitter, various blogs and web sites internationally. Publishers are yet to report on the traffic to their web sites as a result of this story and other measures they are employing to attract traffic to their web sites. The interest in the project is a good sign that opening up knowledge is good business to the publishers.*

6<sup>th</sup> November 2009, Fountain Publishers communicated that they had uploaded a total of three titles under a CC licence. The links to the titles as communicated are:

[http://www.fountainpublishers.co.ug/index.php/cPath/21\\_83?osCsid=rfb61ivtc3sjlo46tqpr7tjh82](http://www.fountainpublishers.co.ug/index.php/cPath/21_83?osCsid=rfb61ivtc3sjlo46tqpr7tjh82)

[http://www.fountainpublishers.co.ug/index.php/cPath/21\\_36?osCsid=rfb61ivtc3sjlo46tqpr7tjh82](http://www.fountainpublishers.co.ug/index.php/cPath/21_36?osCsid=rfb61ivtc3sjlo46tqpr7tjh82)

[http://www.fountainpublishers.co.ug/index.php/cPath/21\\_38?osCsid=rfb61ivtc3sjlo46tqpr7tjh82](http://www.fountainpublishers.co.ug/index.php/cPath/21_38?osCsid=rfb61ivtc3sjlo46tqpr7tjh82)

*Fountain Publishers has set such a trend in this area. One key challenge though is some technical gaps in implementing online book platforms. As of now, all the books are pdfs. Also the license versions used are US CC licenses. It might be necessary to domesticate the CC licenses by making them Uganda specific to help enforcement and prosecution. In marketing terms, it will be necessary to provide a web portal that promotes African books including free books to aid book distribution across the continent.*

*September 2009*

*At the Book Sector Forum held during the 17<sup>th</sup> National Book Week Festival where Mr. James Tumusiime, the Managing Director of Fountain Publishers made a presentation on tips for publishers survival in business. On being questioned about flexible licensing and online publishing models says that in order to give away something for free, one must first have what to give. The statement is a reflection of his thinking about a dual business model with the traditional licensing being the dominant business model while the flexible CC licenses are for profiling the publishing company. We believe that CC licenses will take time to become the dominant business model. We still have to promote free business models and encourage more buy-ins by other commercial publishers. Also we need to help publishers and authors improve legal drafting of author agreements that provide several licensing options. Of course authors require empowerment in terms of their understanding of copyright generally and CC licences specifically in order for them to make the best choices at all times.*

*June 2009*

Only two companies have moved forward with the idea of flexible licensing i.e. Fountain Publishers and Mastermind Publishers. Fountain Publishers have already issued a book under a creative commons license which has received wide coverage locally and internationally <http://creativecommons.org/weblog/entry/14858>. Fountain Publishers have most recently indicated that they will be uploading 2 additional titles on their web site under creative commons licenses. Mastermind Publishers on the other hand have had their project delayed by technical difficulties. Their web site is now ready and will be uploading their works under a creative commons license in the coming days.

## **BOUNDARY PARTNER: DEVELOPMENT & ALTERNATIVE PUBLISHERS**

### **OUTCOME CHALLENGE:**

Development / alternative publishers are making a portion of their quality learning materials and knowledge resources available across multiple channels under flexible licences. They work to influence their clients and members to adopt flexible licensing to promote market and disseminate their works.

#### **EXAMPLES:**

- Use of Open Access licenses to ensure output of funded projects reaches beyond development agencies and donors
- Use of commercial / Flexible Licensing to create improved points of access
- Use of Creative Commons Share-Alike Commercial licenses to transform research material into accessible community resources
- Overlay publishing using available Open Access archives / data / research
- Use of mobile technology, combined with Flexible Licensing, to reach wider markets with customized information resources
- Limited experimentation to achieve some of the outcomes above
- Use of CC licenses Overlay publishing using available Open Access archives / data / research
- Cautious use of Flexible Licensing to formalise existing licensing practices

#### **PUBLISHING WORKSHOP DATA**

16.7% of participants proposed Demonstration Projects

<b>Participant</b>	<b>Demo project (Yes/No)</b>
1. Uganda Women Writers Association-FEMRITE	YES
2. The Aids Support Organisation-TASO	NO
3. Uganda Society	NO
4. Uganda Printers Association	NO
5. Uganda Children Writers and Illustrators Association	NO

6. <i>DENIVA</i>	NO
------------------	----

## PROGRESS MARKERS

Progress Marker	Achieved (%)
<i>Expect to See</i>	
1. Attend Publishing Workshop	6 (100%)
2. Request further information & customized briefings	1/6 (16.7%)
3. Plan demonstration project	1/6 (16.7%)
4. Apply for support from PALM for demonstration project	1/6 (16.7%)
<i>Like to see</i>	
5. Select and prepare digital content	1/6 (16.7%)
6. Market Online content	1/6 (16.7%)
7. Make content publicly available	1/6 (16.7%)
8. Evaluate demonstration project	0
<i>Love to see</i>	
9. Share experience and expertise	0
10. Share resources and services to publish online	0
11. Make additional content available free	0
12. Establish online publishing business model using flexible licensing	0




*November 18<sup>th</sup>, 2009, Mr. Charles Batambuze received a visit from Ms Dorothy Amuso the Country Representative for the US Library of Congress Office- Nairobi Kenya with a list of titles that NABOTU published online ([www.nabotu.or.ug](http://www.nabotu.or.ug)). One of the titles that she wanted to procure for the Library of Congress and its associated libraries was the pdf e-book, *Publishing in Uganda with notes from Africa: a review*. This book is available on the NABOTU web site under a CC licence. The visit from the Library of Congress represents a potential market that exists for hard copies of the title. Prof. Robert Ikoja Odongo the author has expressed interest in exploring print-on-demand opportunities especially with the African Books Collective for hard copy distribution to Europe and the USA. Locally the book would have to be printed to sell copies to students and other interested parties.*

*On October 29<sup>th</sup>, 2009 Charles Batambuze had a telephone conversation with Hilda Twongyeirwe the Coordinator of FEMRITE about PALM. She confirmed that African Books Collective (ABC) based in Oxford, United Kingdom had written to her about being granted permissions to sell their new fiction titles to Europe and the USA. One of the new titles, “farming ashes” is available on the FEMRITE web site under a CC licence. ABC uses print-on- demand to service the needs of its customers. Hilda Twongyeirwe confirmed further that they had alerted their networks through their email lists about the availability of free fiction titles on the FEMRITE web site. However she had not received any reviews of the titles from their network because the functionality for reviews and email feedback had been non-functional which points to ICT related technical challenges. It also points to absence of a comprehensive plan for marketing online books. Another challenge that requires attention is the whole area of e-book transactions so that NGOs and commercial publishers can make the best of the opportunities arising out of free online publishing.*

*In August, the National Book Trust of Uganda uploaded its PALM literature review report titled, “Publishing in Uganda with notes from Africa: a review” both as a wiki and a pdf book. Again the wiki file is not truly a wiki because the web host was reluctant to make it so for reasons of securing the web site.*

*In a meeting with David Kibuuka the Chairman of Uganda Publishers Association, he observed that the book was very useful and he had downloaded a copy for his personal reading. Professor Robert Ikoja Odongo reported later that there were demands for hard copies from a cross section of university students who found the book to be a very useful reference resource for their publishing courses.*

June 2009

The Uganda Women Writers Association (FEMRITE) is the only organization that has participated in the demonstration project. They have so far uploaded two books, “Farming ashes” and “Invisible weevil” on their web site <http://www.femriteug.org/epublishing.php> under a creative commons license. They plan to upload one more anthology under a creative commons license in the coming days. They are still working on some technical challenges to improve the web site.

## BOUNDARY PARTNER: RESEARCH ORGANISATIONS

### OUTCOME CHALLENGE

Research institutions are making a portion of their quality learning materials and knowledge resources available across multiple channels under flexible licences. They work to influence their researchers, their peers and their institutions to adopt flexible licensing to promote, market and disseminate their works.

### PUBLISHING WORKSHOP DATA

0% of the participants proposed a demonstration project.

Participant	Demo project (Yes/No)
1. Makerere Institute of Social Research (MISR)	NO
2. <i>Crop Science Journal</i>	NO

### PROGRESS MARKERS

Progress Marker	Achieved (%)
<i>Expect to See</i>	
13. Attend Publishing Workshop	2 (100%)

14. Request further information & customized briefings	1/2 (50%)
15. Plan demonstration project	0
16. Apply for support from PALM for demonstration project	0
<i>Like to see</i>	
17. Select and prepare digital content	0
18. Market Online content	0
19. Make content publicly available	0
20. Evaluate demonstration project	0
<i>Love to see</i>	
21. Share experience and expertise	0
22. Share resources and services to publish online	0
23. Make additional content available free	0
24. <i>Establish online publishing business model using flexible licensing</i>	0

## BOUNDARY PARTNER EDUCATION AND TRAINING INSTITUTIONS

### OUTCOME CHALLENGE

Education and Training Institutions offer courses in the use of flexible licensing and undertake research on new publishing models.

### WORKSHOP DATA

Prof Robert Ikoja-Odongo who lectures publishing courses at the East African School of Library and Information Science Makerere University is a member of the PALM Uganda team.

## PROGRESS MARKERS

Progress Marker	Achieved (%)
<i>Expect to See</i>	
1. Attend Publishing Workshop	1 (100%)
<i>Like to see</i>	
2. Invite PALM team as guest lecturers/resource persons	0
3. Teach flexible licensing and new models	1(100%)
4. Research flexible licensing	1(100%)
<i>Love to see</i>	
5. <i>Publish academic papers, journal articles and books on flexible licensing</i>	1(100%)

## Appendix 2: Publisher's Questionnaire

The aim of this questionnaire is to collect as much data as possible about the state of publishing in Uganda and to seek for publishers views on whether the adoption of more flexible licensing regimes can contribute to improved publishing of learning materials in Uganda. Very kindly we are asking you to spend some time to fill this questionnaire as authoritatively as you can. We are all looking for a better and enduring publishing culture in our country in which all key actors benefit. You have the ideas. All data you provide will be strictly confidential and will not be disclosed to anyone. You have the ideas. Thank you.

### Background information

1. Name of Publishing House .....
2. Date of Establishment or Incorporation .....
3. Location (City or town).....
4. Physical Address (Plot, Road, Suite).....
5. Contact Address (a) Postal .....
- (b) E-Mail .....
- © Website .....
6. Publishing Business .....
- (a) Book publishing (b) Newspaper publishing (c) Magazine publishing (d) Other (state) .....
- (b) Publishing Orientation (i) Print-based (ii) Electronic-based (iii) Both
7. Specialization (a) Purely Educational (b) Trade publishing (c) General (d) Professional (Law, Medicine etc)
8. Your Products (a) Books (b) Newspapers (c) Newsletters (d) Magazines
9. Languages of publication .....
10. Governance of Publishing House: (a) Gov't Unit, (b) Private Company (c) NGO
11. Status of Company (a) Indigenous (b) Foreign
12. Level of publishing (e.g. school textbooks, academic) .....
13. Orientation of publishing (science, humanities) .....
14. Products type (a) Print based .....
- (b) Electronic or Online .....

### Manuscript Origination

15. Number of titles published per year on average? .....
16. Source of manuscripts (a) commissioned (b) unsolicited, (c) both Tick

## Editorial work

17. Specify which of these works are done IN or OUT of your establishment

Origination of manuscripts	IN	OUT
Reviewing of manuscripts	IN	OUT
Editing	IN	OUT
Copy Editing	IN	OUT
Layout	IN	OUT
Proof reading	IN	OUT

18. If contracted, are authors/writers provided with writing guidelines?

19. Does the House have an Editorial Board? .....

20. What challenges does your House face in the editorial process?

.....  
.....

## Rights

20. Are you aware of Copyright and neighbouring Rights law in Uganda? .....

21. Do you ask for exclusive rights from your authors? Yes/No

22. Do you view copyright as a protector? Yes/No

23. Do you see Copyright as a barrier to usage and wider distribution of your products? Please explain your answer.

24. What is the policy about other rights (e.g. translation, serialization for newspapers; adaptations etc) in your house?

25. What is the policy on piracy?

26. What Challenges does your House face in managing Rights issues?

.....  
.....

27. Do you see massive photocopying of texts in tertiary institutions as

- |  |     |    |
|--|-----|----|
| • Poverty to buy original products         | Yes | No |
| • Ignorance of knowledge of copyright law  | Yes | No |
| • Rebellion against cost of book products  | Yes | No |
| • Inadequate distribution of book products | Yes | No |

24. Do you see Informal publishing of school pamphlets as a problem of cost of books?                      Yes                      No

29. Have you pursued unauthorized copying through the following means a) court b) police c) other .....

25. Have there been other copyright infringements and how these have been dealt with?

### **Licensing**

25. Are you conversant with the concept of licensing of rights as applied in business?

26. If so, have you applied it to your publishing operations? .....

27. Which licensing model have you applied? .....

28. What have been the benefits/difficulties of using that model?  
.....

29. Are you aware of new flexible copyright licensing practices that can serve both the publisher's interest and book buyer's interest? Yes No

30. If so, which ones are you aware about? .....

31. Has your company/organization had experience with following:

- |                                 |     |    |
|---------------------------------|-----|----|
| a. Open access to your products | Yes | No |
| b. Some rights reserved         | Yes | No |
| c. All rights reserved          | Yes | No |
| d. Free Online open access      | Yes | No |
| e. Limited open access          | Yes | No |
| f. Open Archives                | Yes | No |
| g. Translations                 | Yes | No |

32. Would you be open to apply the following scenarios in respect of rights:

- |                                       |     |    |
|---------------------------------------|-----|----|
| a. Allow Open access to your products | Yes | No |
| b. Have Some rights reserved          | Yes | No |
| c. Have All rights reserved           | Yes | No |
| d. Permit Free Online open access     | Yes | No |
| e. Permit Limited open access         | Yes | No |
| f. Allow Open Archives                | Yes | No |
| g. Permit Translations                | Yes | No |

### **Production Process**

33. Does your House have Processing Equipment for word-processing and typesetting? .....

34. Do you have the software for layout?

35. How do you access Artwork? .....

36. Are you familiar with open access picture libraries such as flickr? Yes /No

37. Does your House have In-house Printer? .....
38. Specify which of these works are done IN and OUT of your factory
- |                   |    |     |
|-------------------|----|-----|
| Word processing   | IN | OUT |
| Typesetting       | IN | OUT |
| Colour separation | IN | OUT |
| Plate making      | IN | OUT |
| Reproduction      | IN | OUT |
| Binding           | IN | OUT |
39. If no, where do you do the printing and binding? (a) In town, or (b) abroad?
40. On average, how many copies do you produce per title?
41. Where do you get raw materials for production? (a)Uganda (b)Abroad
42. For Electronic products, does your House have expertise to upload the contents to the web? Yes / No
43. What challenges does your House have in the production process?
44. Could Printing-On-Demand be part of the solution? .....
45. What are the challenges of using digital technology to your publishing work?  
.....  
.....

### **Marketing and Distribution Process**

46. What is your House's prefix (ISBN, ISSN, SBN) .....
47. Which Agency allocates this prefix? .....
48. What products do you have online? .....
49. What marketing tools does your company/organization use? (a) Catalogues (b) Web (c) Radio (d) Television (e) Newspapers (f) Conferences (g) Flyers (h) Gifts  
Tick as approp.
50. What distribution infrastructure does your company/organization use? (a) Own retail outlet (b) Bookshops (c) Other (state).....?
51. What facilities does your company/organization provide? (a) Distribution van (b) Shelves/Racks (c) Trolleys (d) other ....
52. List the market segments that your company/organization is supplying and provide percentage estimates of their size? .....
53. What is the size of your market? (a) local (b) national (c) regional (d) International
54. Does your company/organisation publish online? Yes/No
55. If yes, what percentage of your publications is online?
56. What benefits does your company get by publishing online?
57. What challenges do you face in the process of pricing electronic products?



### **Publishing in General**

- 58. If publishing electronically, name your products .....
- 59. Are electronic products cheaper than print? .....
- 60. What is your pricing policy for e-publications? .....
- 61. How is pricing of electronic products done? .....
- 62. What is your experience of using electronic pricing? .....
- 63. What problems do you face in pricing electronic publications?  
.....  
.....  
.....  
.....
- 64. How do you collect revenues from electronic products?

### **Increasing Access to information products in Uganda**

- 65. What business models do you think can help increase availability of your products in the market?
- 66. How can the publishing industry in Uganda open up access to information products?

### **Appendix 3: Educational Publishing and Book Distribution in Uganda**

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#### **Abstract**

This paper provides the status, challenges and opportunities of publishing and distribution of books and other learning materials for lower and secondary education in Uganda. It highlights issues, policies and practices Uganda has taken in educational publishing. Publishing in Uganda in general runs on liberal economic principles of competition. In terms of publishing and distribution of books for the pre-school level, the current state of affairs and responsibility are highlighted. As for the primary education, the discussion revolves around government textbook policy. For secondary education, two scenarios are discussed namely; existing practice and new policy approach to providing books to schools under universal secondary education. The paper is informed by review of consultants' reports, Ministry of Education and Sports reports, World Bank Reports and other literature available on the subject.

**Key words:** Educational publishing, Textbook policy, Uganda

## **1.0 Introduction**

Publishing and distribution of books and other learning materials in Uganda are a shared responsibility of the private sector and government. This model of publishing and distribution is drawn from the historical experience the country has gone through over the years since independence. Since 1962 Uganda has undergone through alternating episodes of peace, trouble and upheavals culminating into several changes of government. These changes have similarly affected service delivery in all sectors of society including the education sector. The paper focuses on the instructional materials provision. It provides the status, challenges and opportunities of publishing and distribution of books and other learning materials for lower and secondary education in Uganda.

## **2.0 Policy on Education**

The Ministry of Education and Sports as the line ministry in charge of education in Uganda is guided by a mission. This mission is to “provide for, support, guide, coordinate, regulate and promote quality education and sports for all persons in Uganda for national integration, individual and national development” (Ministry of Education & Sports, [MoES] 2005). The structure of the education system includes pre-primary, primary, and post primary and higher education. The Ministry is responsible for many educational functions including prescribing national curricula and providing textbooks to schools.

Policy relating to education is found in the Government White Paper on Education entitled “*Education for National Integration and Development*” of 1992. This policy document deals with all aspects of education and these are supported by other policies of government. However, the key policy thrusts of government in the education sector are:

- i. Providing equitable access to quality and affordable education to all Ugandans
- ii. Propelling Uganda towards achieving Poverty Eradication Action Plan (PEAP)
- iii. Meeting commitments to achieve Education for All (EFA) and the Millennium Development Goals (MDGs)

- iv. Providing relevant education
- v. Enhancing efficiency
- vi. Strengthening partnership (MoE&S, 2005).

## **2.1 Pre primary education level**

The White Paper includes pre-school education as a starting point of formal education. It states that pre-school is basically at the hands of private agencies and parents. But Government has defined national aims and objectives for this level of education. The policy aims and objectives of pre-primary education are: to develop capabilities and healthy physical growth of the child; to help the child develop good social habits as an individual and as a member of society; to develop moral values in the child; to enrich the child's experience by developing imagination, self reliance and thinking power; to help the children appreciate their cultural background and customs and developing a feeling of love and care for other people and for Uganda and a sense of unity leading to a national stance and to develop language and communication skills in the mother tongue. To implement these policy statements, government adopts among others a position of prescribing curricular guidelines to be followed by pre-primary schools. Pupils spend three years in pre-primary schools.

## **2.2 Primary school level**

At primary school level, government states the aims and objectives to be in line with the language policy of improving functional literacy, numeracy and skills in communication, oral expression, reading and writing in Kiswahili, English and the local language; basic computation skills, including skills in addition, subtraction, multiplication and division, physical development and inculcation of progressive and balanced emotional control through games, sports, hobbies and good health habits and prerequisites for continuing education and development. The primary cycle is currently seven years of schooling.

## **2.3 Secondary school level**

The aims and objectives of secondary education that takes four to six years is to instill and promote national unity, an understanding of the social and civic responsibilities, strong love and care for others and respect for public property as well as an appreciation of international relations and beneficial international co-operation; imparting and promoting a sense of self-discipline, ethical and spiritual values, personal and collective responsibility and instilling positive attitudes towards productive work and strong respect for the dignity of labour and those who engage in productive labour activities among many others. All these aspirations are reflected in the new curricula designed by the National Curriculum Development Centre.

## **3.0 Textbook Policy**

At the beginning of the last decade, Uganda like many African governments took the position of liberalizing her economy and privatizing business. Government considered itself poor at business but centered its operations in providing enabling policies that guide business actions. Relating this to publishing of books and other learning materials, government pronounced the national textbook policy in 1993. This policy prescribes a strategy of allowing private publishers to do the publishing and government remaining as regulator of books that are read in schools and in line with objectives laid down in the White Paper. The policy is based on the principles of competition, MoES textbook approval, choice, school based selection and school based purchasing power on which the current textbook system is based (Read et al 1999.9). The policy liberalizes the selection and supply of instructional materials to schools, and introduced open system of bidding and vetting of all books and other learning materials distributed to primary schools. The policy is intent to create a book market and book industries in Uganda as the basis for future textbook provision developments. Already this policy has led to the development of a wide variety of textbooks and to the development of local, regional and multinational school book publishing investments in the country. This policy removed the monopoly of the National Curriculum Development Centre (NCDC) from writing books for schools but left it with the continuous work of developing and reviewing curricula. It became the government responsibility to buy and distribute the books and learning materials directly to primary schools. For the

indigenous publishers this meant that a level playing ground had been laid from what hitherto had been the monopoly of foreign publishers.

Other countries that have done the same in different years include Tanzania, Mozambique, Kenya, Ghana and Zimbabwe. Tanzania adopted this approach through her new policy on textbook production and distribution on January 1<sup>st</sup>, 1992. The policy comprises a dramatic shift from the former policy in that it aims at improving the efficiency in textbook production, quality of books, broadening authorship, transferring responsibility of textbook publishing to commercial publishers and developing competition and lowering of book prices (Ministry of Education and Culture, 1998:6-7). In Ghana the textbook and distribution policy was announced in 1998. This policy takes as its background the education reform process begun in the 1980s. It places value on prompt delivery and affordability of educational supplies, sustainability of educational in book provision as well as the importance of building local capacity. It emphasizes choice in the textbooks per subject and sets the goal of the book/pupil ratio at 1:1. The underlying principle is that the development of a textbook policy is driven by free, compulsory and universal education (Ghana, Ministry of Education, 1998:7). In Mozambique the national policy on textbooks and learning materials was drafted in May 1998 as part of the 1997-2001 Education Sector Strategic Plan. The policy called for education to be demand-driven, of high quality, as this country moved away from centralized state controlled systems to more liberalized political and economic policies (Mozambique, Ministry of Education, 1998:7-8). Kenya's national policy on textbook publication, procurement, and supply of primary books is the Ministry of Education and Human Resource Development instrument that took effect in June 1998. The policy emphasizes the importance of quality and relevant education at all levels. The policy evolved from centralized government production, supply and distribution from the period soon after independence to the time a new policy was announced. In this policy government's role became limited to curriculum development and quality control. Commercial publishers now compete to produce a wider selection of learning materials. Kenya Institute of Education is the approving agency. Among stakeholders mentioned in the policy are the Teachers Advisory Centres, head teachers associations, school management committees, book trade associations, and communities (Kenya Ministry of Education and Human Resource Development, 1998:8-9).

In Zimbabwe, the Ministry of Education, Sport and Culture outlines its policy in a document entitled “Strategy for School Textbook provision in Zimbabwe”. The aim of the strategy is to catalyze policy formulation and direction on equity, sustainable book provision, quality of education, decentralization, and cost sharing. One key recommendation encapsulating all that was the need to develop a national book policy to address among others educational publishing, book provision, roles and responsibilities of stakeholders, as well as instruments for implementation and coordination (Ministry of Education, Sport and Culture, Zimbabwe, 1998:9).

Focusing on Uganda’s textbook policy, in the early years of independence, the entire publishing industry was controlled by state. State centralism that had swept over textbook supply in Kenya, Tanzania, Malawi and Ghana did not spare Uganda (Read, Denning and Bontoux 2001:25). Uganda Publishing House, Uganda Press Trust and Uganda School Supply Ltd all the subsidiaries of Milton Obote Foundation were created by the state in line with its move to the left policies of communism that centralized state authority to manage book work in the country. With fall of Obote government in 1971 into the Idi Amin’s regime, Uganda School Supplies Ltd like the Uganda Publishing House faced a declining trend without book supply reverting to the private sector.

Throughout the 1970s government funded textbook supplies to primary schools had been irregular and generally small scale and only the richer schools and richer students could afford to buy direct from the booksellers. This led to significant reductions in the volumes of textbooks in the classrooms which in turn had a negative impact on pupil’s performance. This period also witnessed a marked decline in textbook supply to universities resulting into the emergence of the famous ‘yellow notes’ written by professors for their students and turned yellow as a result of over use and age. When Obote became the president for the second time, there was another attempt to re-establish the Uganda School Supplies Ltd (Read & Matovu, 2001:114). All distribution and school supply once again became the monopoly of Uganda School Supplies Ltd. With the fall of Obote’s second regime in mid 1985, again the textbook publishing and distribution did not fall to the local private sector. State control over textbook distribution it can be said, destroyed or damaged the existing private sector, publishers, book wholesalers and retailers while not providing a reasonable alternative text book service to schools. According to

Read, Denning, and Bontoux (2001) this was perhaps the most tragic aspect of the state domination of textbook publishing and distribution in Africa over the past 40 years.

#### **4.0 Publishing and distribution of books**

In this section, the existing practices are discussed. It begins with what is happening with the books and materials for pre-primary education. This is followed by secondary education because both have a short history. Publishing and distribution for primary comes last because it is what government has been doing for about three decades.

##### **4.1 Publishing and distribution of books and learning materials for pre-primary**

Publishing in Uganda over the last ten years has shown remarkable progress. Though few, the local publishers are publishing more titles annually including books and learning charts for pre-school. The same publishers have also developed a network of contact points or own distribution outlets. However, book provision for pre-primary level of schooling is a private affair. Government does not play a role in providing books or any learning materials since such schools are established as private service entities. Each pre-school asks parents to provide reading materials for their children and teachers draw lesson sheets for every day work. The only government involvement is found in curriculum development.

##### **4.2 Publishing and distribution of books and learning materials for secondary**

There has been little publishing and distribution of books and other learning materials for secondary school market because this has been outside government financial support apart from occasional bulk procurements (World Bank Report, 2008). Government has been funding for safety net supplies while the parents contribute the rest. The scenario for secondary education is that there is the existing system where in terms of access to educational resources, government sends grants to its schools to cater for educational needs including books. But because of the explosion of school populations, grants are not enough to meet the many competing demands such as feeding students. Consequently schools demand of students to contribute at least two textbooks for their libraries including prescribed textbooks students bring for their own reading.



Alternatively students are requested without choice to pay a sum of money to schools as library fees. Private secondary schools cater for all their needs directly from library and tuition fees. Even using this avenue, books are scarce in all categories of secondary schools especially in rural areas.

The second and emerging scenario now is that because of Universal Secondary Education (USE) that government introduced in 2007, government is shouldering the responsibility of financing book project for government aided secondary schools. Government has asked publishers to publish books that will be vetted and when approved will be purchased and distributed using the decentralized approaches already adopted for primary schools. Vetting and approval of books is taking place in October 2008. Books are expected in schools in the first term 2009. The process of getting books to secondary schools will be the same as government primary schools that is described below.

#### **4.3 Publishing and distribution of books and learning materials for primary education**

Government's involvement in textbook publishing and distribution earlier was attributed to the economic upheavals including inadequate funds to purchase the books. Some of the decisions were taken with good intentions of minimizing costs and rationalizing distribution of schoolbooks in view of the economic situation. After a lot of pressure from local publishers, government shifted its policy from centralized to semi decentralized and eventually decentralized procurement. To implement this decision, the Ministry of Education and Sports created Instructional Materials Unit (IMU). According to Read & Matovu (2001:112), the government of Uganda has since then been procuring primary school textbooks through the Instructional Materials Unit of the Ministry of Education and Sports. Publishing of books and other learning materials for primary school level is where there is the most active part of public-private linkage. There are no books directly available in bookshops for schools to choose from. Other instructional materials are extremely scarce.

The IMU was established in 1993 within the Ministry of Education and Sports as a specialist procurement agency to procure and distribute textbooks, supplementary reading materials and teaching aids to all primary schools in Uganda. The IMU mission is to coordinate activities towards the acquisition, procurement and dispatch of instructional materials. Its key functions are: to coordinate the procurement of instructional materials in the Ministry of Education and Sports, planning for the consolidation, storage and distribution of centrally procured instructional materials to districts and schools, monitoring and evaluation of instructional materials delivered in schools under centralized and decentralized procurement, regular reviewing of instructional materials policy, training and dissemination of information to schools on effective usage and storage of instructional materials, and implementing the stated policy on instructional materials. The functions of this Unit cut across other departments in the Ministry and the Unit works closely with the rest of the departments to achieve the smooth and timely implementation of instructional materials procurement and distribution.

As a procurement agency, “IMU is required to support and develop a fully competitive, market oriented, textbook system in Uganda based on the provision of school based purchasing power (consumer funding) to every primary school in the country and the introduction of school responsibility for the selection of their textbooks” (Matovu & Read, 2001:112).

From its establishment in 1993 up to 2000, IMU has purchased approximately US\$ 30 million worth of textbooks from locally established publishers (Matovu & Read, 2001:112). Between 1995 and 1999, the Unit undertook five major material procurements and four of these were concerned solely with core textbooks and teachers’ guides, excluding the supplementary readers and teaching aids, all approved by the Ministry of Education and Sports. Whereas US\$ 47.5 million were to be spent from 2001 to 2004, US\$ 5.8 million (shs. 11 billion) of this was spent on SUPER VIII whereas US\$8.5 million (shs. 16 billion) was already earmarked for the procurement of textbooks under SUPER IX (Ahimbisibwe & Aremu, 2003:29).

Procurement of primary school textbooks has been supported with donor funding, for example the World Bank provided funds for IDA III and IDA IV projects to purchase, consolidate and transport books from Hong Kong to Uganda. Since 1998, six agencies (The World Bank, the

European Union, DFID, USAID, DGIS and Irish Government) have combined via the Education Strategy Investment Plan (ESIP) to provide budgetary support for education, which also includes financial support for materials provision (Matovu & Read, 2001:112). In addition, other sources of funding are: the recurrent and development budgets used to finance the centralized procurements of mainly textbooks, capitation grants provided by the Ministry of Planning Finance and Economic Development direct to districts and from districts to individual schools, occasional one-off procurements from district development projects to support school textbooks and other instructional materials stocks and parental and private school funding.

The process of publishing and distribution begins with the Ministry announcing its intention to receive books and other learning materials from the publishers. Publishers react by putting together the writing teams to write along the agreed framework of design, layout, artwork, typesetting up to final laser page proofs, and submit them for vetting by Textbook Vetting Committee (TVC) and approval by the Ministry. Notification of approval to publishers is done by TVC and thereafter publishers develop the products and deliver their lists to the Ministry. The Ministry puts together approved lists and distributes to district education officers who in turn get them to schools. Publishers ferry them to the districts.

## **5.0 Decentralized Instructional Materials Procurement Pilot Project (DIMPPP)**

To build capacity required for the decentralized distribution, the Ministry started on a pilot basis. The pilot project aimed at creating an opportunity for local booksellers to be involved and assist in improving standards (Matovu & Read 2001: 126). During the FY 2001/2002, the Unit piloted decentralized procurement in four districts of Kumi, Lira, Rakai and Masindi. The results of the pilot phase were positive. Findings did indicate that the respondents were knowledgeable about the Decentralized Instructional Materials Procurement System. The majority attained knowledge about DIMPPP through district officials such as District Education Officers (DEOs), District Inspectors of Schools (DIS). Others came to know about it through head teachers, Centre Coordinating Tutors (CCTs) and Official Textbook Suppliers (OTS) (Ministry of Education and Sports, Dec. 2007). When the two systems of procurement were evaluated together, that is,

centralized and decentralized system; it was found out that the majority of booksellers were in favour of the decentralized instructional materials procurement system. Smaller percentage opted for continued centralized procurement. This implied that decentralized system had better prospects than centralized system of procuring instructional materials for primary schools. It was also reported that decentralized procurement system brought services closer to the end user. It enabled schools to effectively select their own instructional materials using the scarce resources availed to them. The other advantage was the correction of errors in the supplies within the local area than far away from Kampala. In cases of any shortages, the OTSs would quickly address the errors. In addition decentralized procurement was cheaper, as reflected in the discount given to schools and free transportation of materials up to the schools. The discount was given in form of extra textbooks supplied. And teachers participate in making selections. The decentralized system is more convenient and liked by the majority because it involves most stakeholders as players in the distribution chain. However Tibaijuka (2003) in a specific evaluation of Rakai district noted that the district assisted in transportation of primary school textbooks especially those procured using UPE funds but schools also contributed to transportation of materials. It was noticed that booksellers to a large extent met the cost of delivery to primary schools while the schools meet a smaller percentage of the cost of transportation. It is not clear what the publishers thought about this pilot phase since they were not involved in the evaluation exercise.

## **5.2 From DIMPPP to DIMP**

The success from DIMPPP led to the full project and the roll out in other districts in the subsequent years where ten more districts were covered during FY 2002/2003 and more fifteen districts during FY 2003/2004 bringing the total number of districts to twenty nine. During the FY 2004/2005, the programme was rolled out to all the sixty nine districts that existed by then. Today they are over eighty.

The DIMP method of procurement was undertaken because of the high costs of consolidation, insurance, delivery and flaws in the system. For example, there were many unnecessary delays during the central procurements arrangement, short landings and many more other problems.

From the pilot project, several lessons were learnt. Delay in deliveries, lack of variety, inadequate copies and corruption were cited as key constraints to the implementation of decentralized procurement system. The majority of the head-teachers or teacher respondents reported a problem of delay in deliveries (materials). This analysis by respondents was limited to Decentralized Instructional Materials Procurement Pilot Project (DIMPPP) but not Decentralized System as such. The DIMPPP had a time limit within which the implementation was expected.

The delay in deliveries was excused to the late approval of the books under SUPER VIII project. In the course of Ministry of Education and Sports approving recommended textbooks and awarding contracts to publishers to supply textbooks to primary schools both under decentralized and centralized systems, there were irregularities and controversies that bogged down the process and subsequently caused a delay in the deliveries. Some publishers, whose books were not included on the list of approved textbooks for use in primary schools, contested the results and appealed to the Inspector General of Government (IGG). By the time the IGG intervened and made recommendations, the scheduled implementation timetable for DIMPPP had been altered thus the year's delay of deliveries. Another constraint cited was lack of variety of teaching materials and inadequate number of copies. This was not a problem of decentralized system per se but a problem that cut across the procurement of primary school textbooks. Secondly the money allocated could not allow schools to buy adequate copies for each course. But in some districts, head teachers complained about irrelevance of some books taken to them especially supplementary readers. There were also cases where teachers preferred books from some particular publishers and not the others and vice versa. This could be a pointer that head teachers or schools did not effectively participate in selection.

According to the district officials the challenges of a decentralized system were the identification of the Official Textbooks Suppliers (OTSs), documentation and verification of deliveries. For instance in district of Rakai there was no fully-fledged bookshop at that time of conducting the study. Documentation was also identified as a challenge to most of the stakeholders of the

decentralized system. Proper record keeping was expected of all the stakeholders and they were yet to master the science of documentation. For example, errors in filing the Local Purchase Orders and misfiling some documents accounted for some delays in the implementation of decentralized system. Verification of deliveries was also a challenge to District Officials as they have to transverse the district ascertaining that accurate deliveries were made to individual schools.

From the key informants that is, the publishers and OTSs, the problem was delayed payments. The publishers who supplied textbooks both under the centralized system and decentralized system noted that payments under centralized system were much faster than the decentralized system. For OTSs, high transport costs, movements to schools throughout the district and the absence of some head-teachers at their workstations – schools, at the time of delivery were the major challenges.

### **5.3 Review of DIMP**

During November 2007, the Ministry of Education and Sports carried out a monitoring and evaluation exercise of Primary School Instructional Materials. The exercise involved 39 local governments (28 districts and 11 Municipalities). A total of 78 Official Textbook Suppliers (OTS) and 117 head teachers of government primary schools were interviewed. The exercise was to verify compliance with DIMP procedures, verify documents and their availability and assess the impact of instructional materials on the teaching and learning process. The findings from this evaluation exercise established that most districts were actively involved in the implementation of DIMP. Eighty five percent (85.7 percent) of the districts visited had a DIMPSC in place while 14.3 percent did not have. Although regulations require the deduction of 10 percent from UPE funds for procurement of Supplementary Reading Materials, some districts exceeded this percentage. Rukungiri district for example deducted as much as 35 percent, Ntungamo with 31 percent while Mbale 100 percent. Although decentralized Instructional Materials Procurements delivery method was found better than the central procurement and there is generally overwhelming compliance with DIMP procedures especially on matters of information flows,

there are still glaring gaps in its operation. For instance there were problems at the district tender boards especially in the selection of OTSs. Some OTSs (12.5 percent) were selected without fulfilling all the requirements. Some were handpicked with tendering process especially where bookshops did not exist in their districts. Secondly although the majority of schools complied with regulations to maintain stock registers, they did not use them. The reason given was that the school librarians have never received training in their use. And thirdly, although books are given to pupils, the frequency of borrowing needs to be improved by schools (Ministry of Education and Sports, Dec. 2007). It is clear that the review did not seek the views of the publishers who are currently concerned about delayed or no payments from OTSs and difficulties in safeguarding their investments. As a result, there is a general feeling amongst some publishers to bypass the booksellers in supplying books to the schools.

#### **5.4 Challenges to Educational publishing and distribution**

The biggest challenge is that government is not providing all school going children in Uganda with books. It is paying attention to government owned schools only. If human resource development is to be equal, it is essential that all children should have equal access to reading materials. Secondly to achieve quality primary education, Government puts emphasis on the policy of putting books in the hands of pupils. It has been established that many schools do not give pupils books for fear of loss and damage due to pupils' perceived negligence and carelessness, poor reading culture among pupils and lack of storage facilities for books such as bags among children. Thirdly, there are delays in procurement of instructional materials by OTSs caused by late deliveries of materials by publishers; delays in return of local purchase orders by the head teachers of primary schools and lack of funds for monitoring DIMP activities at district level. With the development of Thematic Curriculum in which children will for the first four years of their schooling, learn in local languages, providing books will be a hurdle. This is because of the multiplicity of indigenous languages. Uganda has over 56 such languages and dialects and out rightly lack of books in those languages at the moment. Within that issue is the problem of lack of proficient writers and skilled editors in these languages.

## **5.5 Opportunities**

Uganda's education system provides opportunities for investors in publishing to participate. There is still room for educational publishing as much as it is in tertiary levels of education. This is because of limited government funding. There are constant complaints that books are not enough. But funding from government is continuing and this will provide a good opportunity to market books. Student's population is rising as government is drafting law to force all children to go to school. Currently there are more than 7.5 million children in primary schools. It is estimated by the Ministry of Education and Sports that book-pupil ratio at the moment stands at 3:1 on average but the figure could be higher. Major gaps are in primary one to three that require fifteen sets each but only three have been provided; upper primary also experiences gaps in some subjects. Books in local and mother tongues languages are not available because Thematic Curriculum was adopted only recently and due to surging numbers of pupils it is almost clear that books are required at all levels. To bring in equity of access and quality to education, Uganda is looking for alternative models of providing cheaper books to pupils and students. Books are currently most expensive in Uganda according to the recent study (World Bank, 2008). Currently, PALM AFRICA project is toeing with an idea seeking to reduce the gaps in book provision in African communities by proposing alternative business methods through advocating for alternative licensing models. It is pursuing a line of seeing that open access publishing is adopted. There is also a trend towards open educational resources. This has been enabled by e-publishing. This avenue offers a solution to reading text online. Already the western world is experimenting and consolidating on information equity using the Creative Commons Licenses.

## **Conclusion**

Educational publishing for elementary and to some extent secondary education is going on in Uganda. There is partnership between government and the private sector in educational publishing and distribution of books. The country has to a large extent been able to serve the primary school best and is yet to do so for the secondary education and other levels. Challenges



remain as the country is looking for more appropriate and cheaper models to ensure that pupils and students get the desired books and learning materials.

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